



Arlington Conservation Commission

Date: Thursday, February 16, 2023

Time: 7:00 PM

Location:

Please register in advance for this meeting. Reference materials, instructions, and access information for this specific meeting will be available 48 hours prior to the meeting on the Commission's agenda and minutes page. Pursuant to State Legislation suspending certain provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, the February 2, 2023, public meeting of the Arlington Conservation Commission shall be physically closed to the public to avoid group congregation. The meeting shall instead be held virtually using Zoom. Please note: Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law. This agenda includes those matters which can be reasonably anticipated to be discussed at the meeting.

Agenda

1. Administrative
 - a. January 19, 2023, and February 2, 2023, Meeting Minutes
 - b. Correspondence Received
2. Discussion
 - a. Mystic Bridge Special Conditions
 - b. Mystic Bridge Special Conditions
 - c. Tree Committee Liaison
 - d. Arlington Wetlands Regulations Update

3. Hearings

Notice of Intent: Spy Pond Aquatic Invasive Treatment (Continuation)

Notice of Intent: Spy Pond Aquatic Invasive Treatment (Continuation)

This public hearing will consider a Notice of Intent for aquatic invasive management in Spy Pond. Work is proposed to be conducted within Land Under Water. The management will include chemical and mechanical treatment of invasive plant species.

Notice of Intent: 39 Sunnyside Avenue

Notice of Intent: 39 Sunnyside Avenue

Documents: NOI Application – 39 Sunnyside Avenue

This public hearing will consider a Notice of Intent to demolish an addition to a single-family dwelling, and construct a new addition at 39 Sunnyside Avenue, within the Riverfront Area associated with Alewife Brook.



Town of Arlington, Massachusetts

Water Bodies Working Group

Summary:

Mystic Bridge Special Conditions

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	FINCOM_WBWGAcounting_FY24_23- 03-22.pdf	Water Bodies Working Group Accounting

Water Bodies Program Analysis																		
Version Date: 3/23/22 - DM																		
Derived from Version Date: 5/25/2021 - EAS																		
3/																		
The purpose of this schedule is to show activity of the Water Bodies Account over several years, specifically with a 5 year review of revenue and expenditures, current year projection, and the three years of budget based on current information available.																		
Please note that the difference between fiscal years is one day. The ending balance as of 6/30 each year is carried forward to the top of the subsequent column as the opening, 7/1 balance.																		
Water Bodies Account History: 5 Years of Actual, Current Year Expected, 3 Years of Projected																		
MUNIS #		FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY22	FY23	FY23	FY24	FY25
		Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Budget	Actual	Budget	Anticipated	Budget	Budget
	Beginning Balance - 7/1	\$ 8,360	\$ 18,425	\$ 19,425	\$ 23,890	\$ 27,865	\$ 58,915	\$ 38,436	\$ 50,110	\$ 70,118	\$ 98,968	\$ 94,896	\$ 76,309	\$ 76,309	\$ 114,288	\$ 114,288	\$ 67,287	\$ 42,287
	Spy Pond Reserve								\$ 14,000	\$ 28,000								
230 4972	Revenue/Appropriation	\$ 15,000	\$ 20,000	\$ 50,000	\$ 50,000	\$ 40,000	\$ 40,000	\$ 50,000	\$ 55,000	\$ 60,000	\$ 50,000	\$ 45,000	\$ 50,000	\$ 50,000	\$ 15,000	\$ 15,000	\$ 50,000	\$ 50,000
230 4831	Revenue/Donations	\$ -	\$ 1,000	\$ -	\$ 1,300	\$ 1,800	\$ 800	\$ 1,950	\$ 1,450	\$ 1,800	\$ 1,800		\$ 1,800	\$ 1,800	\$ 1,800	\$ 2,300		
230 5299	Expenses - Spy Pond	\$ (4,935)	\$ -	\$ (22,725)	\$ (29,200)	\$ -	\$ (41,279)	\$ (15,280)	\$ (10,155)	\$ (25,450)	\$ (25,070)	\$ (8,454)	\$ (23,100)	(12,875)	\$ (35,000)	\$ (34,673)	\$ (35,000)	\$ (35,000)
	Spy Pond Sonar											\$ (25,623)						
230 5299	Expenses - Reservoir	-	\$ (20,000)	\$ (21,400)	\$ (18,125)	\$ (10,750)	\$ (20,000)	\$ (15,000)	\$ (15,000)	\$ (16,500)	\$ (16,500)	\$ (24,840)	\$ (25,000)	\$ -	\$ (25,000)	\$ (26,000)	\$ (25,000)	\$ (25,000)
230 5299	Expenses - Hills	\$ -	\$ -	\$ (1,410)	\$ -	\$ -	\$ -	\$ -	\$ (1,287)	\$ (4,000)	\$ (4,000)	\$ (4,670)	\$ (4,400)	\$ (946)	\$ (5,000)	\$ (3,594)	\$ (5,000)	\$ (5,000)
230 5299	Expenses - McClennen								\$ (10,000)	\$ (10,000)	\$ (2,000)	\$ -	\$ -	\$ -	\$ (5,000)		\$ (5,000)	\$ (5,000)
230 5299	Expenses - CC Other					\$ -	\$ -	\$ (9,996)	\$ -	\$ (5,000)	\$ (6,000)	\$ -	\$ (3,000)	\$ -	\$ (5,000)	\$ (35)	\$ (5,000)	\$ (5,000)
	Ending Balance - 6/30	\$ 18,425	\$ 19,425	\$ 23,890	\$ 27,865	\$ 58,915	\$ 38,436	\$ 50,110	\$ 70,118	\$ 98,968	\$ 97,198	\$ 76,309	\$ 70,809	\$ 114,288	\$ 61,088	\$ 67,287	\$ 42,287	\$ 17,287
	Reserve for Spy Pond Sonar Treatment (Balance)							\$ 14,000	\$ 28,000	\$ 42,000	\$ 56,000	\$ 30,377	\$ 30,377	\$ 30,377	\$ -	\$ -	\$ -	\$ -
	Net Available Fund Balance							\$ 36,110	\$ 42,118	\$ 56,968	\$ 41,198	\$ 45,932	\$ 40,432	\$ 83,911	\$ 61,088	\$ 67,287	\$ 42,287	\$ 17,287
	Annual Expenditures									Total Expenses	\$ (53,570)	\$ (63,587)	\$ (55,500)	\$ (13,821)	\$ (70,000)	\$ (64,302)	\$ (75,000)	\$ (75,000)
<div> <div> Check account 0117285-5580 (general operation - WB) at start of each FY to transfer annual allocation to account 230-4972 (WB transfer in account). In 2008 Town Meeting approved home rule legislation for the WB account, approved by the State, allowing for this annual transfer. Look in 2008 Finance Committee report. </div> <div> Notes for FY22 and FY23 Budget - Actual expenses in FY22 were much lower than expected for a variety of reasons affecting both Spy Pond work and the inability to have access to the Reservoir. - Thus we have a large balance going into FY23 and the appropriation can be less. - Spy Pond needs and work is expected to approach traditional levels both for aquatic work and some bank repair work to project the waterbody. - Reservoir water chestnut harvesting will also probably be up to previous year levels and perhaps a bit more because no harvesting was done last summer. - Other category is for opportunities or study needs as come up. </div> </div>																		



Town of Arlington, Massachusetts

Notice of Intent: 39 Sunnyside Avenue

Summary:

Notice of Intent: 39 Sunnyside Avenue

Documents: NOI Application – 39 Sunnyside Avenue

This public hearing will consider a Notice of Intent to demolish an addition to a single-family dwelling, and construct a new addition at 39 Sunnyside Avenue, within the Riverfront Area associated with Alewife Brook.

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	NOI_Application-39_Sunnyside_Avenue.pdf	NOI Application - 39 Sunnyside Avenue

Notice of Intent Application and Minor Stormwater Permit Application



February 2, 2023

Subject Property

39 Sunnyside Avenue

Parcel ID: 33-3-7

Arlington, Massachusetts

Applicant and Property Owner

Brenden Rock

39 Sunnyside Avenue

Arlington, MA 02474

LEC Environmental Consultants, Inc.

380 Lowell Street, Suite 101

Wakefield, MA 01880

781-245-2500

www.lecenvironmental.com

February 2, 2023

Hand Delivery

Arlington Conservation Commission
Town Hall Annex
730 Massachusetts Avenue
Arlington, MA 02476

Town of Arlington Public Works
Engineering Division
Attn: William Copithorne, PE
23 Maple Street
Arlington, MA 02476

**Re: Notice of Intent Application
and Minor Stormwater Permit Application
39 Sunnyside Avenue
Parcel ID: 33-3-7
Arlington, Massachusetts**

[LEC File #: RocB\22-468.02]

Dear Members of the Conservation Commission and Mr. Copithorne:

On behalf of the Applicant and Property Owner, Brenden Rock, LEC Environmental Consultants, Inc., (LEC) is filing the enclosed Notice of Intent (NOI) Application with the Arlington Conservation Commission and Minor Stormwater Permit Application with the Arlington Public Works Engineering Division to raze and rebuild an addition to a single-family dwelling at 39 Sunnyside Avenue in Arlington, Massachusetts. The proposed activities are located within Riverfront Area and Bordering Land Subject to Flooding (BLSF) associated with Alewife Brook. The Applicant proposes to implement erosion controls to minimize the potential for impacts to the resource areas during construction, and a reduction of impervious area by replacing a paved driveway with a pervious paver driveway.

LEC was retained to identify Wetland Resource Areas protectable under the *Massachusetts Wetlands Protection Act* (M.G.L. c. 131, s. 40, the *Act*), its implementing Regulations (310 CMR 10.00, the *Act Regulations*), the *Town of Arlington Wetlands Protection Bylaw* (Article 8, the *Bylaw*), and its implementing *Wetlands Protection Regulations* (March 1, 2018, the *Bylaw Regulations*), and to prepare this NOI Application and Minor Stormwater Permit Application. Rober Survey has prepared the enclosed *Conservation Plan* dated November 14, 2022 showing the existing and proposed conditions (Appendix C). *Design Development Plans* dated January 20, 2023 and prepared by Miller Design, LLC (*Design Plans*) are included as Appendix B.



Enclosed please find two checks made payable to the Town of Arlington in the amounts of Ninety-Five Dollars (\$95.00) and Two Hundred Dollars (\$200.00) for the purpose of filing the NOI Application under State and Local guidelines, respectively; and a third check payable to the Town of Arlington in the amount of \$100.00 for the Minor Stormwater Permit Application. Payment to the Commonwealth of Massachusetts in the amount of Seventy Dollars (\$70.00) has been processed via eDEP.

Thank you for your consideration of this Application. We look forward to meeting with the Conservation Commission at the February 16, 2023 Public Hearing. Should you have any questions, please do not hesitate to contact me in our Wakefield office at 781-245-2500 or at rkirby@lecenvironmental.com.

Sincerely,

LEC Environmental Consultants, Inc.

A handwritten signature in black ink, appearing to read 'Richard A. Kirby', is written over a horizontal line.

Richard A. Kirby
Senior Wetland Scientist

cc: DEP, Northeast Region
Brenden Rock
Diane Beckley Miller

rak: projects\22-468\NOIReport.doc

i.	WPA Form 3 – Notice of Intent
ii.	WPA Appendix B – Wetland Fee Transmittal Form
iii.	Local Filing Fee Form
iv.	Affidavit of Service
v.	Letter to Abutters
vi.	Abutter Notification Form
vii.	Certified List of Abutters

Notice of Intent Report

1.	Introduction	1
2.	General Site Description	1
2.1	Natural Heritage and Endangered Species Program Designation	3
3.	Wetland Resource Areas	3
3.1	Bank-Mean Annual High Water	4
3.2	Riverfront Area	4
3.3	Bordering Land Subject to Flooding	5
4.	Proposed Activities	5
5.	Mitigation Measures	6
5.1	Erosion and Sedimentation Control	6
5.2	Impervious Area Reduction	6
6.	Regulatory Performance Standards	7
6.1	Redevelopment Within Previously Developed Riverfront Area	7
6.2	Bordering Land Subject to Flooding	9
6.3	Bylaw Performance Standards for Work Within the Floodplain	10
6.4	Bylaw Bordering Land Subject to Flooding Climate Resiliency	11
6.5	General Climate Resiliency	11
7.	Summary	12

Literature Cited

Appendices

Appendix A

Locus Maps

Figure 1: USGS Topographic Quadrangle

Figure 2: FEMA Flood Insurance Rate Map

Figure 3: MassGIS Orthophoto & NHESP Estimated Habitat Map

Appendix B

Design Development Plans, prepared by Miller Design, LLC, dated January 20, 2023

Appendix C

Conservation Plan, prepared by Rober Survey, dated November 14, 2022



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

39 Sunnyside Avenue

a. Street Address

Arlington

b. City/Town

02474

c. Zip Code

Latitude and Longitude:

42.408720 N

d. Latitude

-71.133200 W

e. Longitude

Parcel ID: 33-3-7

f. Assessors Map/Plat Number

g. Parcel /Lot Number

2. Applicant:

Brenden

a. First Name

Rock

b. Last Name

Home Owner

c. Organization

39 Sunnyside Avenue

d. Street Address

Arlington

e. City/Town

MA

f. State

02474

g. Zip Code

860-208-9506

h. Phone Number

n/a

i. Fax Number

brenden.p.rock@gmail.com

j. Email Address

3. Property owner (required if different from applicant): ☒ Check if more than one owner

Same as Applicant

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Richard A.

a. First Name

Kirby

b. Last Name

LEC Environmental Consultants, Inc.

c. Company

380 Lowell Street, Suite 101

d. Street Address

Wakefield

e. City/Town

MA

f. State

01880

g. Zip Code

781-245-2500

h. Phone Number

781-245-6677

i. Fax Number

rkirby@lecenvironmental.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$165.00

a. Total Fee Paid

\$70.00

b. State Fee Paid

\$95.00

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

A. General Information (continued)

6. General Project Description:

The Applicant proposes to demolish an existing addition to a single-family dwelling, and construct a new, slightly larger addition within the outer portion of Riverfront Area and Bordering Land Subject to Flooding (BLSF) associated with Alewife Brook. A reduction of impervious area is proposed by replacing the existing paved driveway with a pervious paver driveway. Erosion controls also are proposed.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Middlesex South

a. County

65830

c. Book

n/a

b. Certificate # (if registered land)

337

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	222± 1. square feet 0 3. cubic feet of flood storage lost	222± 2. square feet 0 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input checked="" type="checkbox"/> Riverfront Area	Alewife Brook 1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☒ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: 2,427±
square feet

4. Proposed alteration of the Riverfront Area:

<u>342±</u> a. total square feet	<u>0</u> b. square feet within 100 ft.	<u>342±</u> c. square feet between 100 ft. and 200 ft.
-------------------------------------	---	---

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☒ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☒ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____ 2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	
4. <input type="checkbox"/> Restoration/Enhancement		
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.		
a. square feet of BVW _____	b. square feet of Salt Marsh _____	

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings _____

b. number of replacement stream crossings _____



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. ☐ Yes ☒ No

If yes, include proof of mailing or hand delivery of NOI to:

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

2021

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mas-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

C. Other Applicable Standards and Requirements (cont'd)

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____

3. ☐ Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☒ Not applicable – project is in inland resource area only b. ☐ Yes ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. ☐ Is this an aquaculture project? d. ☐ Yes ☒ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

C. Other Applicable Standards and Requirements (cont'd)

Online Users:

Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. ☐ A portion of the site constitutes redevelopment
 3. ☐ Proprietary BMPs are included in the Stormwater Management System.
- b. ☒ No. Check why the project is exempt:
 1. ☒ Single-family house
 2. ☐ Emergency road repair
 3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

D. Additional Information (cont'd)

3. ☒ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Conservation Plan

a. Plan Title

Rober Survey

Scott Lynch, PLS

b. Prepared By

c. Signed and Stamped by

Dated November 14, 2022

1" = 10'

d. Final Revision Date

e. Scale

Design Development Plans prepared by Miller Design, LLC

January 20, 2023

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

134

1/28/2023

2. Municipal Check Number

3. Check date

Paid electronically via eDEP

4. State Check Number

5. Check date

Brenden

Rock

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

Bryan R. R.
1. Signature of Applicant

1/30/2023
2. Date

3. Signature of Property Owner (if different)

[Signature]

4. Date

January 26, 2023

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

39 Sunnyside Avenue

a. Street Address

Arlington

b. City/Town

eDEP Payment

\$70.00

c. Check number

d. Fee amount

2. Applicant Mailing Address:

Brenden

a. First Name

Rock

b. Last Name

Home Owner

c. Organization

39 Sunnyside Avenue

d. Mailing Address

Arlington

e. City/Town

MA

f. State

02474

g. Zip Code

860-208-9506

h. Phone Number

n/a

i. Fax Number

brenden.p.rock@gmail.com

j. Email Address

3. Property Owner (if different):

Same as Applicant

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 1a. work on a single-family dwelling	1.5 (Riverfront Area)	\$110.00	\$165.00
Step 5/Total Project Fee:			\$165.00
Step 6/Fee Payments:			
Total Project Fee:			\$165.00
State share of filing Fee:			\$70.00
City/Town share of filling Fee:			\$95.00
			a. Total Fee from Step 5
			b. 1/2 Total Fee less \$12.50
			c. 1/2 Total Fee plus \$12.50

a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

21 of 59

Bylaw Filing Fees and Transmittal Form

Rules:

1. Fees are payable at the time of filing the application and are non-refundable.
2. Fees shall be calculated per schedule below.
3. Town, County, State, and Federal Projects are exempt from fees.
4. These fees are in addition to the fees paid under M.G.L. Ch. 131, s.40 (ACT).

Fee Schedule (ACC approved 1/8/15):

\$	No./Area	Category
		(R1) RDA - \$150 local fee, no state fee
\$200.00		(N1) Minor Project - \$200 (house addition, tennis court, swimming pool, utility work, work in/on/or affecting any body of water, wetland or floodplain).
		(N2) Single Family Dwelling - \$600
		(N3) Multiple Dwelling Structures - \$600 + \$100 per unit all or part of which lies within 100 feet of wetlands or within land subject to flooding.
		(N4) Commercial, Industrial, and Institutional Projects - \$800 + 50¢/s.f. wetland disturbed; 2¢/s.f. land subject to flooding or buffer zone disturbed.
		(N5) Subdivisions - \$600 + \$4/l.f. feet of roadway sideline within 100 ft. of wetlands or within land subject to flooding.
		(N6) Other Fees - copies, printouts; per public records law
		(N7) Minor Project Change - \$50
		(N8) Work on Docks, Piers, Revetments, Dikes, etc - \$4 per linear foot
		(N9) Resource Boundary Delineation (ANRAD) - \$1 per linear foot
		(N10) Certificate of Compliance (COC or PCOC) - No charge if before expiration of Order, \$200 if after that date.
		(N11) Amendments - \$300 or 50% of original local filing fee, whichever is less.
		(N12) Extensions -
		a. Single family dwelling or minor project - \$100.
		b. Other - \$150.
		(N13) Consultant Fee -per estimate from consultant
\$200.00	TOTAL	

Note: Submit this form along with the forms submitted for the ACT - the "Wetlands Filing Fee Calculations Worksheet," and the "Notice of Intent Fee Transmittal Form."

AFFIDAVIT OF SERVICE

Under the
Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40),
its implementing *Regulations* (310 CMR 10.00),
and the
Town of Arlington Wetlands Protection Bylaw

I, Sharon A. Sullivan, on behalf of Brenden Rock, hereby certify under the pains and penalties of perjury that on February 2, 2023 I gave notification to abutters in compliance with the *Massachusetts Wetlands Protection Act* (M.G.L. c. 131, s. 40), its implementing *Regulations* (310 CMR 10.00), and the *Town of Arlington Wetlands Protection Bylaw* in connection with the following matter:

A Notice of Intent Application filed under the *Town of Arlington Wetlands Protection Bylaw* by LEC Environmental Consultants, Inc., on behalf of the Applicant, Brenden Rock, with the Town of Arlington Conservation Commission on February 2, 2023 for property located at 39 Sunnyside Avenue (Assessor's Parcel ID: 33-3-7) in Arlington, Massachusetts.

The form of notification, and a list of the abutters to whom it was given and their addresses, are attached to this Affidavit of Service.

Sharon A. Sullivan

Sharon A. Sullivan
Permitting Technician

2/2/2023

Date

February 2, 2023

CERTIFIED MAIL

«Name»

«Name2»

«Address»

«City», «State» «Zip»

Re: Notice of Intent Application
39 Sunnyside Avenue
Assessor's Parcel ID: 33-3-7
Arlington, Massachusetts

[LEC File #: RocB\22-468.02]

Dear Abutter:

On behalf of the Applicant, Brenden Rock, LEC Environmental Consultants, Inc. (LEC) has filed a Notice of Intent Application with the Arlington Conservation Commission and a Minor Stormwater Permit Application with the Arlington Public Works Engineering Division to raze and rebuild an addition to a single-family dwelling at 39 Sunnyside Avenue in Arlington. Portions of the proposed activities are located within Degraded Riverfront Area and Bordering Land Subject to Flooding associated with Alewife Brook, as jurisdictional under the *Massachusetts Wetlands Protection Act* (the *Act*, M.G.L. c. 131, s. 40) and its implementing *Regulations* (the *Act Regulations*, 310 CMR 10.00), and the *Town of Arlington Wetlands Protection Bylaw* (Article 8, the *Bylaw*) and its *Regulations Pursuant to the Town of Arlington Regulations for Wetlands Protection* (the *Bylaw Regulations*). The Applicant proposes to implement erosion controls to minimize the potential for impacts to the resource areas during construction, and to reduce impervious area by replacing a paved driveway with a pervious paver driveway.

The Notice of Intent Application and accompanying plans are available for review by contacting the Arlington Conservation Commission. The remote Public Hearing will be held on February 16, 2023 beginning at 7:30 p.m., in accordance with the provisions of the *Act*, *Regulations*, *Bylaw*, and *Bylaw Regulations*. Further information regarding this application will be published at least five (5) days in advance in *The Arlington Advocate*. Notice of the Public Hearing will also be posted at the Arlington Town Hall at least 48 hours in advance. Please check the Town's website and the Board/Committee's page for any updated information on the meeting.

Please do not hesitate to review the materials and/or attend the public hearing should you have questions or concerns about the proposed project.

Sincerely,

LEC Environmental Consultants, Inc.



Richard A. Kirby
 Senior Wetland Scientist

LEC Environmental Consultants, Inc.

www.lecenvironmental.com

12 Resnik Road
 Suite 1
 Plymouth, MA 02360
 508.746.9491

380 Lowell Street
 Suite 101
 Wakefield, MA 01880
 781.245.2500

100 Grove Street
 Suite 302
 Worcester, MA 01605
 508.753.3077

P.O. Box 590
 Rindge, NH 03461
 603.899.6726

680 Warren Avenue
 Suite 3
 East Providence, RI 02914
 401.685.3109 24 of 59

PLYMOUTH, MA

WAKEFIELD, MA

WORCESTER, MA

RINDGE, NH

EAST PROVIDENCE, RI

Notification to Abutters Under the
Massachusetts Wetlands Protection Act
and the
Town of Arlington Wetlands Protection Bylaw

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 and the Arlington Wetlands Protection Bylaw, you are hereby notified of the following:

The Conservation Commission will hold a virtual public meeting use Zoom, an on-line meeting platform, on Thursday, February 16, 2023, at 7:30 p.m. in accordance with the provisions of the Massachusetts Wetlands Protection Act (M.G.L. Ch. 191, s. 40, as amended), the Town of Arlington Bylaws Article 8, Bylaw for Wetland Protection, and in accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, § 20 relating to the COVID-19 emergency, for a Notice of Intent from Brenden Rock to demolish an existing addition to a single-family dwelling and construct a new addition at 39 Sunnyside Avenue, within the outer portion of Riverfront Area and within Bordering Land Subject to Flooding associated with Alewife Brook, on Assessor's Property Map 33, Lot 3-7. Please refer to the Commission's online meeting agenda for specific Zoom meeting access information.

A copy of the application and accompanying plans are available by request by contacting the Arlington Conservation Agent at 781-316-3229 or concomm@town.arlington.ma.us. For more information, call the applicant's representative, LEC Environmental Consultants, Inc., at 781-245-2500, the Arlington Conservation Commission at 781-316-3229, or the DEP Northeast Regional Office at 978-694-3200.

Notice of the Public Hearing, including its date, time, and place, will be published at least five (5) business days in advance in The Arlington Advocate and will also be posted at least 48 hours in advance on the Arlington Town Hall website.



Office of the
Board of Assessors
Robbins Memorial Town Hall
Arlington, MA 02476
(781) 316-3050
Assessors@town.arlington.ma.us

Abutters List

Date: January 26, 2023

Subject Property Address: 39 SUNNYSIDE AVE Arlington, MA
Subject Property ID: 33-3-7

Search Distance: 100 Feet
Conservation

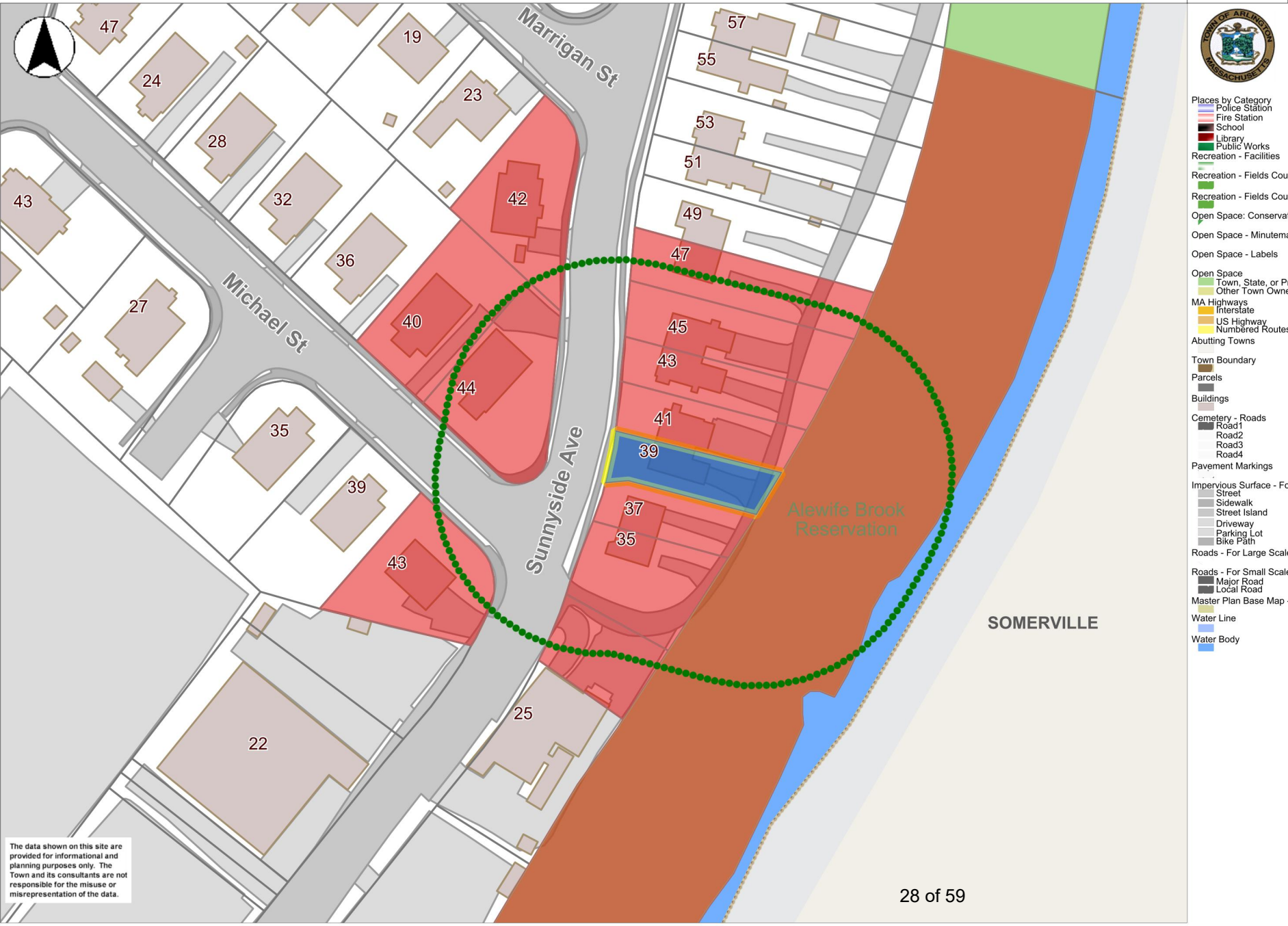
The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters within 100 feet of the property lines, of subject property.

**BOARD OF ASSESSORS
TOWN HALL
ARLINGTON, MA 02476**

Board of Assessors

ABUTTERS LIST**Date: January 26, 2023****Subject Property Location: 39 SUNNYSIDE AVE Arlington, MA****Subject Parcel ID: 33-3-7****Search Distance: 100 Feet**

Parcel ID	Property Location	Owner 1	Owner 2	Mailing Address	City/Town	State	Zip
33-6-1	0-LOT BROADWAY	DEPT/CONSERVATION & RECREATION	WATER SUPPLY PROTECTION DIV	20 SOMERSET ST	BOSTON	MA	02108
33-2-19	43 MICHAEL ST	CROWLEY PRISCILLA		43 MICHAEL ST	ARLINGTON	MA	02474
33-3-4	0-LOT SUNNYSIDE AVE	BOYLE DAVID T/TRUSTEE	D & B REALTY TRUST	16 SHORT STREET	BROWNFIELD	ME	04010
33-3-5	35 SUNNYSIDE AVE	JOSEPH C REGINE		35 SUNNYSIDE AVE	ARLINGTON	MA	02474
33-3-6	37 SUNNYSIDE AVE	KIM SUNGHEE	LEE JOSEPF	37 SUNNYSIDE AVE	ARLINGTON	MA	02474
33-3-7	39 SUNNYSIDE AVE	SANTACROCE CAITLIN &	ROCK BRENDEN	39 SUNNYSIDE AVE	ARLINGTON	MA	02474
33-3-8	41 SUNNYSIDE AVE	HARRIS JULIANA	DIVIRGILIO ANTHONY	41 SUNNYSIDE AVE	ARLINGTON	MA	02474
33-3-9	43 SUNNYSIDE AVE	RYGIEL ZARKO E--ETAL	RYGIEL CATHERINE DOLORES	43 SUNNYSIDE AVE	ARLINGTON	MA	02474
33-3-10	45 SUNNYSIDE AVE	SOUSA JOHN D/ LIFE ESTATE		45 SUNNYSIDE AVE	ARLINGTON	MA	02474
33-3-11	47 SUNNYSIDE AVE	MADDEN RICHARD K / TRUSTEE	RICHARD K MADDEN LIVING TRUST	535 PLEASANT ST	BELMONT	MA	02478
33-4-6	40 MICHAEL ST	HAN LU	YANG MEILING	40 MICHAEL ST	ARLINGTON	MA	02474
33-4-7	44 MICHAEL ST	CABRE MIQUEL MUNOZ &	BRODER LEAH	44 MICHAEL ST	ARLINGTON	MA	02474
33-4-8.A	42 SUNNYSIDE AVE	WILLBANKS NANCY J		42 SUNNYSIDE AVE	ARLINGTON	MA	02474



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.



**Notice of Intent Application
& Minor Stormwater Permit Application**

39 Sunnyside Avenue
Arlington, Massachusetts

February 2, 2023

1. Introduction

On behalf of the Applicant and Property Owner, Brenden Rock, LEC Environmental Consultants, Inc., (LEC) is filing the enclosed Notice of Intent (NOI) Application with the Arlington Conservation Commission and Minor Stormwater Permit Application with the Arlington Public Works Engineering Division. The Applicant is filing the NOI Application and Minor Stormwater Permit Application to raze and rebuild an addition to a single-family dwelling within ‘Degraded’ Riverfront Area and Bordering Land Subject to Flooding (BLSF) at 39 Sunnyside Avenue in Arlington, as jurisdictional under the *Massachusetts Wetlands Protection Act* (M.G.L. c. 131, s. 40, the *Act*), its implementing Regulations (310 CMR 10.00, the *Act Regulations*), the *Town of Arlington Wetlands Protection Bylaw* (Article 8, the *Bylaw*), and its implementing *Wetlands Protection Regulations* (March 1, 2018, the *Bylaw Regulations*). Mitigating measures include erosion controls to minimize the potential for impacts to the resource areas during construction, and a reduction of impervious area by replacing a paved driveway with a pervious paver driveway.

The existing conditions and proposed activities are depicted on the *Conservation Plan* dated November 14, 2022, and prepared by Rober Survey (*Conservation Plan*, Appendix C). Appendix B contains the *Design Development Plans* dated January 20, 2023 and prepared by Miller Design, LLC (*Design Plans*).

2. General Site Description

The 2,427± square foot property is located in a densely developed, residential neighborhood west of Alewife Brook, northeast of Route 3/2A, and north of the St. Paul Cemetery, within the southeastern portion of Arlington, Massachusetts. More specifically, the property is located northeast of the Sunnyside Avenue/Michael Street intersection. Residential development associated with Sunnyside Avenue and Michael Street occurs northeast, east, and southeast of the property, while DCR land containing the Alewife Greenway Bike Path and Alewife Brook occurs east of the property. A paved/gravel extension of Sunnyside Avenue occurs between the property and adjacent DCR land. The Arlington/Somerville municipal boundary occurs along Alewife Brook.



Westerly view of attached single-family dwelling (left side) with elevated addition off rear, and paved driveway extending from gravel/pavement extension of Sunnyside Avenue.

The property contains an attached single-family dwelling with a gravel driveway extending westerly from the paved/gravel roadway extension toward a basement-level, 1-car garage. An impervious walkway provides access to the front dwelling entrance, while a gravel path extends to the lawn

area south of the dwelling. A wooden shed also occurs within the front yard. An elevated, 1-story addition occurs off the rear of the dwelling, with adjacent wooden egress landing, stairs, and deck. A wooden stockade fence occurs along the southern property boundary. The dwelling and site appurtenances are surrounded by lawn and scattered landscape plantings, including a 48± inch dbh oak (*Quercus* sp.) shade tree in the front yard. The property gently slopes to the east, with an elevation gradient of roughly eight feet.

A maintained meadow with scattered trees and saplings occurs on DCR land between the property and Alewife Brook. LEC observed scattered individuals of Norway maple (*Acer platanoides*), red maple (*Acer rubrum*), silver maple (*Acer saccharinum*),



Southerly view of the Alewife Greenway Bike Path and adjacent maintained meadow

mulberry (*Morus* sp.), oak (*Quercus* sp.), and black cherry (*Prunus serotina*). The groundcover is dominated by grasses, with patches of garlic mustard (*Alliaria petiolata*) growing amongst the woody vegetation.

Utilizing a hand-held, Dutch-style soil auger, LEC inspected soil conditions within the land upgradient of Alewife Brook, and observed a 14-inch thick, gravelly sandy loam historic fill layer (C Horizon) with a soil matrix color ranging between 2.5Y 2/2 and 10YR 3/2. Refusal (likely stones/boulders) was often encountered beneath the apparent fill. No redoximorphic features or other indicators of hydrology were observed. This soil profile is not considered hydric according to the *Field Indicators for Identifying Hydric Soils in New England* (Version 4, April 2019, the *Field Indicators Guide*).

2.1

Natural Heritage and Endangered Species Program Designation

According to the 15th Edition of the *Massachusetts Natural Heritage Atlas* (effective August 1, 2021) published by the Natural Heritage & Endangered Species Program (NHESP), no areas of Estimated Habitats of Rare Wildlife or Priority Habitat of Rare Species, or Potential or Certified Vernal Pools exist on the site (Appendix A, Figure 3).

3.

Wetland Resource Areas

LEC conducted a site evaluation on November 10, 2022 to identify and characterize existing protectable Wetland Resource Areas located on or immediately adjacent to the site, and to delineate the Bank-Mean Annual High Water (MAHW) Line associated with Alewife Brook. The extent of Wetland Resource Areas was determined through observations of existing plant communities, hydrologic indicators, and Bankfull indicators in accordance with the *Act*, its implementing *Regulations*, the *Bylaw*, and the *Bylaw Regulations*. The topographic site survey determined the extent of BLSF on the property.

Based on these methods and review of pertinent maps, LEC determined that the Bank-MAHW Line to Alewife Brook occurs east of the property, and that the entire property is located within Riverfront Area. The easternmost portion of the property also is located within Bordering Land Subject to Flooding (BLSF). The Bank-MAHW Line also places the 100-foot Buffer Zone (and Adjacent Upland Resource Area under the *Bylaw*) onto the eastern portion of the property. No Bordering Vegetated Wetlands (BVW) were observed.

3.1

Bank-Mean Annual High Water

According to 310 CMR 10.58 (2) (a) 2., *Mean Annual High-water Line of a river is the line that is apparent from visible markings or changes in the character of soils or vegetation due to the prolonged presence of water and that distinguishes between predominantly aquatic and predominantly terrestrial land. Field indicators of bankfull conditions shall be used to determine the mean annual high-water line. Bankfull field indicators include but are not limited to: changes in slope, changes in vegetation, stain lines, top of pointbars, changes in bank materials, or bank undercuts.*



Westerly view of Alewife Brook with managed Japanese knotweed

The Bank-MAHW Line associated with Alewife Brook was determined through observation of multiple corroborating Bankfull Indicators, including scouring, Bank undercuts, changes in vegetation, and a relatively distinct separation

between predominantly aquatic and terrestrial land. The upper boundary of Bank contains stands of Japanese knotweed which appear to be undergoing management.

3.2

Riverfront Area

According to 310 CMR 10.58 (2) (a), *A Riverfront Area is the area of land between a river's mean annual high water line and a parallel line measured horizontally. The riverfront area may include or overlap other resource areas or their buffer zones. The riverfront area does not have a buffer zone.*

According to Section 9. L. of the Bylaw, L., *"Riverfront Area" shall mean the area of Land between a river's mean annual high water line and a parallel line measured 200 feet horizontally landward of the mean annual high water line.*

Riverfront Area includes land within 200 feet of the Bank-MAHW line associated with Alewife Brook and encompasses the entire property. This 2,427± square foot area

includes the existing dwelling, driveway, site appurtenances, and surrounding lawn area. The entire property is considered ‘Previously Developed’ and the footprints of the existing dwelling, driveway, landing, stairs, deck, walkways, and shed are considered ‘Degraded’ in accordance with 310 CMR 10.58 (5).

3.3

Bordering Land Subject to Flooding

According to 310 CMR 10.57 (2) (a) 1, *Bordering Land Subject to Flooding (BLSF) is an area with low, flat topography adjacent to and inundated by flood waters rising from creeks, rivers, streams, ponds or lakes. It extends from the banks of these waterways and water bodies; where a bordering vegetated wetland occurs, it extends from said wetland.*

According to the Section 4 B. (38) of the *Bylaw Regulations*, “land subject to flooding or inundation” *shall mean the land within the estimated maximum lateral extent of flood water which will theoretically result from the statistical 100-year frequency storm; said boundary shall be that determined by reference to the most recently available flood profile data prepared for Arlington within which the work is proposed under the National Flood Insurance Program “(NFIP)” ...*

According to the June 4, 2010 *Federal Emergency Management Agency Flood Insurance Rate Map* for Middlesex County, Massachusetts (Map No: 25017C0417E), and topographic survey of the property, the eastern portion of the property is located within Zone AE: – *Special Flood Hazard Areas (SFHAs) subject to Inundation by the 1% Annual chance Flood; Base Flood Elevations determined* (Appendix A, Figure 2).

According to the FEMA FIRM and elevation determination by the project surveyor, the Zone AE occurs at the Elevation 6.7 contour (Datum: NAVD 88). Land occurring at or below this elevation is jurisdictional as BLSF.

4.

Proposed Activities

The Applicant proposes to demolish the existing 115± square foot, 1-story addition, landing, and stairs located off the rear of the dwelling, and construct a new 230± square-foot, 2-story addition with new landing and stairs roughly in the same location. The footprint of proposed work is limited to existing ‘Degraded’ Riverfront Area including existing structures and driveway. The addition, landing, and deck stairs will be supported by wooden posts set atop sonotube concrete footings – similar to the existing condition, and roughly 6 feet above the Zone AE floodplain elevation. While a small portion of the

project will occur within BLSF, the project team anticipates that existing and proposed lumber for the support posts and stairs will be very similar compared to existing conditions. Accordingly, no measurable change in floodplain displacement will result from the proposed project. Please refer to the *Design Plans* (Appendix B) for architectural details.

5. Mitigation Measures

The Applicant intends to implement erosion controls to protect Alewife Brook and adjacent properties during construction, and a reduction of impervious area by converting the paved driveway to a pervious paver driveway. These mitigating measures are intended to meet or exceed the regulatory requirements enumerated in the *Act Regulations* and the *Bylaw Regulations*, and to promote climate resiliency in accordance with the *Bylaw Regulations*. A description of each of these mitigating measures is provided below.

5.1 Erosion and Sedimentation Control

While land excavation will be limited to that required for support posts and driveway removal, the Applicant proposes to implement an erosion control program to protect Alewife Brook and adjacent properties from sedimentation during construction activities. The plan for the control of potential impacts to the adjacent Wetland Resource Areas is based on DEP guidelines and will be comprised of staked compost filter tubes surrounding the proposed work as depicted on the *Conservation Plan*. All erosion control measures will remain in place until disturbed areas are stabilized by vegetation.

5.2 Impervious Area Reduction

The Applicant proposes to replace the paved driveway with a pervious paver driveway in order to reduce impervious area associated with the site. While the proposed 230± square-foot addition will occur within the footprint of the existing addition and adjacent Degraded land, roughly 103 square feet of additional impervious area will result. Designing and installing a subsurface infiltration system for this site is not practical, considering the small size of the lot, infiltration system setback requirements from the house foundation and property boundaries, and the large oak shade tree located in the front yard that would need to be removed in order to accommodate such a system.

Accordingly, mitigation is proposed by replacing the paved driveway with a pervious paver driveway, resulting in a 165± square-foot reduction of impervious surface for the site.

6. Regulatory Performance Standards

The *Act Regulations* and *Bylaw Regulations* provide specific performance standards for work within Riverfront Area and BLSF. The *Act Regulations* provide exceptions for certain grandfathered, minor activities within the Riverfront Area, and the *Bylaw Regulations* provide additional standards for climate resiliency. Citations of the pertinent performance standards are provided below, along with a description of how the project meets these standards.

6.1 Redevelopment within Previously Developed Riverfront Area

The *Act Regulations* at 310 CMR 10.58 (5) provide performance standards for work within ‘Previously Developed’ Riverfront Area. Below are citations of the pertinent performance standards and an explanation of the project’s compliance with the performance standards.

Redevelopment Within Previously Developed Riverfront Areas: Restoration and Mitigation. *Notwithstanding the provisions of 310 CMR 10.58 (4) (c) and (d), the issuing authority may allow work to redevelop a previously developed riverfront area, provided the proposed work improves existing conditions. Redevelopment means replacement, rehabilitation, or expansion of existing structures...A previously developed riverfront area contains areas degraded prior to August 7, 1996 by impervious surfaces from existing structures or pavement, absence of topsoil... Work to redevelop previously developed riverfront area shall conform to the following criteria:*

- (a) *At a minimum, proposed work shall result in an improvement over existing conditions of the capacity of the riverfront area to protect the interests identified in M.G.L. c. 131, s. 40. When a lot is previously developed but no portion of the riverfront area is degraded, the requirements of 310 CMR 10.58 (4) shall be met.*

The Applicant proposes to improve existing conditions by reducing impervious area on the lot by 165 square feet. This will be accomplished by replacing the existing paved driveway with a pervious paver driveway.

- (b) *Stormwater management is provided according to standards established by the Department.*

The DEP does not require stormwater management for single-family dwelling construction. However, the Applicant proposes to reduce impervious area as part of the project.

- (c) *Within 200-foot riverfront areas, proposed work shall not be located closer to the river than existing conditions or 100 feet, whichever is less....*

While the proposed addition will measure roughly 6 feet closer to Alewife Brook compared to the existing addition, the proposed addition will be farther from Alewife Brook compared to the existing deck and driveway, and more than 100 feet from the Bank-MAHW Line.

- (d) *Proposed work, including expansion of structures, shall be located outside the riverfront area or toward the riverfront area boundary and away from the river, except in accordance with 310 CMR 10.58 (5) (f) or (g).*

While the proposed addition will measure roughly 6 feet closer to Alewife Brook compared to the existing addition, the proposed addition will be farther from Alewife Brook compared to the existing deck and driveway, and more than 100 feet from the Bank-MAHW Line

- (e) *The area of proposed work shall not exceed the amount of the degraded area, provided that the proposed work may alter up to 10% if the degraded area is less than 10% of the riverfront area, except in accordance with 310 CMR 10.58 (5) (f) or (g).*

The proposed work is limited to existing Degraded Riverfront Area, and no increase in Degraded Riverfront Area is proposed.

- (f) *When an applicant proposes restoration on-site of degraded riverfront area, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), and (e) at a ratio in square feet of at least 1:1 of restored area to area of alteration not conforming to the criteria. Areas immediately along the river shall be selected for restoration. Alteration not conforming to the criteria shall begin at the riverfront area boundary...*

- (g) *When an applicant proposes mitigation either on-site or in the riverfront area within the same general area of the river basin, alteration may be allowed*

notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), or (e) at a ratio in square feet of at least 2:1 of mitigation area to area of alteration not conforming to the criteria or an equivalent level of environmental protection where square footage is not a relevant measure...

No Riverfront Area restoration is proposed or required in accordance with 310 CMR 10.58 (5) (f) or (g).

6.2

Bordering Land Subject to Flooding

The *Act Regulations* at 310 CMR 10.57 (4) state that *work within BLSF shall conform to the following criteria:*

(a) *Bordering Land Subject to Flooding*

(1) *Compensatory storage shall be provided for all flood storage volume that will be lost as a result of the proposed work.*

While work is proposed within 222±quare feet of BLSF, no floodplain displacement is proposed. The proposed addition will be elevated roughly 6 feet above the floodplain elevation, and the proposed pervious paver driveway will replace the existing paved driveway at grade.

(2) *Work within BLSF...shall not restrict flows so as to cause an increase in flood stage or velocity.*

Proposed work in the floodplain will not restrict flows or cause an increase in flood storage.

(3) *within BLSF shall not impair its capacity to provide important wildlife habitat functions.*

According to the BLSF Preamble at 310 CMR 10.57 (1) (a) 3:

Certain portions of Bordering Land Subject to Flooding are also likely to be significant to the protection of wildlife habitat. These include all areas on the ten year floodplain or within 100 feet of the bank or bordering vegetated wetland (whichever is further from the water body or waterway, so long as such area is contained within the 100 year floodplain), and all vernal pool habitat on the 100 year floodplain, except for those portions of which have been so extensively altered by human activity that their important wildlife habitat functions have been effectively eliminated (such "altered" areas include paved and graveled

areas, golf courses, cemeteries, playgrounds, landfills, fairgrounds, quarries, gravel pits, buildings, lawns, gardens, roadways (including median strips, areas enclosed within highway interchanges, shoulders, and embankments), railroad tracks (including ballast and embankments), and similar areas lawfully existing on November 1, 1987 and maintained as such since that time).

The portion of land located within BLSF is “altered” and is therefore not significant to the protection of wildlife habitat.

(b) Protection of Rare Wildlife Species

(1) Notwithstanding the provisions of 310 CMR 10.57(4)(a) or (b), no project may be permitted which will have any adverse effect on specified wildlife habitat sites of rare vertebrate or invertebrate species.

There are no specified wildlife habitat sites of rare vertebrate or invertebrate species located on the project site; therefore, the proposed project will have no adverse effect on any such sites.

6.3

Bylaw Performance Standards for Work Within the Floodplain

Section 23 D. of the *Bylaw Regulations* states: *The Commission may permit activity on land subject to flooding provided it shall not result in the following:*

(1) Flood damage due to filling which causes lateral displacement of water that would otherwise be confined within said area.

No filling of the floodplain is proposed.

(2) Adverse effect on public and private water supply or groundwater supply, where said area is underlain by pervious material.

The project will not result in any increase in pollutants that could otherwise potentially result in an adverse effect on public or private water supply or groundwater supply.

(3) An adverse effect on the capacity of said area to prevent pollution of the groundwater, where the area is underlain by pervious material which in turn is covered by a mat of organic peat and muck.

LEC did not observe any such conditions within or near the subject property.

6.4

Bylaw BLSF Climate Resiliency

The Bylaw Regulations (Section 23 D.) also state that the applicant shall take into consideration the impacts of climate change on the activities proposed on land subject to flooding, especially in terms of the compensatory flood storage as a climate change resilience strategy. Any such activity shall provide compensatory flood storage for all flood storage volume that will be lost at each elevation. Compensatory flood storage shall be at a 2:1 ratio, minimum, for each unit volume of flood storage lost at each elevation.

No displacement of flood storage is proposed. Accordingly, no compensatory flood storage is required.

6.5

General Climate Resiliency

The Bylaw Regulations (Section 31) state that B. The Applicant shall, to the extent practicable and applicable as determined solely by the Commission, integrate considerations of adaptation planning into their project to promote climate change resilience so as to protect and promote resource area values into the future. These considerations are especially important in Land Subject to Flooding (floodplain) and Riverfront Area and other Resource Areas which protect the interest of Flood Control and Storm Damage Prevention, including Adjacent Upland Resource Areas. These Resource Areas may be directly impacted by extreme weather events expected to be more prevalent or more intense due to climate change, in surface runoff of pollutants, and in wildlife habitat due to changes in temperature. The Applicant shall consider the project's adaptation to potential climate change impacts by addressing the following:

(1) Describe project design considerations to limit storm and flood damage during extended periods of disruption and flooding as might be expected in extreme weather events. See Vegetative Wetlands Section 21, Land Subject to Flooding Section 23, and Adjacent Upland Resource Area Section 25, of these Regulations.

The Applicant proposes to construct an addition roughly 6 feet above the floodplain elevation. The proposed landing and stairs will roughly replace in-kind the existing stairs. The project will therefore result in an insignificant change compared to existing conditions. The Applicant proposes a 165± square foot reduction of impervious surface by converting the existing paved driveway to a pervious paver driveway. Considering the relatively small property size of 2,427± square feet and limited space for more traditional mitigating measures, LEC has determined that the proposed impervious area reduction is commensurate with the limited scope of the project.

(2) Describe project stormwater surface runoff, which may increase due to storm surges and extreme weather events, and how this will be managed / mitigated to prevent pollution (including nutrients from fertilizers, roadway runoff, etc.) from entering the resource area with consideration of eliminating impervious surfaces as feasible. See Stormwater Management Section 33 of these Regulations.

While the proposed addition will result in a 103± square-foot increase of impervious area associated with the structure, the Applicant proposes to convert the paved driveway to a pervious paver driveway, thereby reducing overall impervious area on the lot by 165± square feet, or roughly 17.7%.

(3) Describe project vegetation / planting plans and other measures to improve the resiliency of the wildlife habitat of the resource area to withstand potential temperature and rainfall changes (drought and excess) due to climate change. See Vegetation Removal and Replacement Section 24 of these Regulations.

No natural vegetation will be removed for this project. Space is limited on the property and no native landscaping is proposed.

(4) Describe measures to protect proposed structures and minimize damage to structures due to the impacts of climate change.

The proposed addition will measure roughly 6 feet above the FEMA Floodplain elevation. A reduction of impervious surface is proposed.

7. Summary

On behalf of the Applicant and Property Owner, Brenden Rock, LEC is filing the enclosed NOI Application with the Arlington Conservation Commission and Minor Stormwater Permit Application with the Arlington Public Works Engineering Division. The Applicant is filing the NOI Application and Minor Stormwater Permit Application to raze and rebuild an addition to a single-family dwelling within 'Degraded' Riverfront Area and BLSF at 39 Sunnyside Avenue in Arlington, as jurisdictional under the *Act*, the *Bylaw*, and *Bylaw Regulations*. Mitigating measures include erosion controls to minimize the potential for impacts to the resource areas during construction, and a reduction of impervious area by replacing a paved driveway with a pervious paver driveway.

The project, including the proposed mitigating measures, meets or exceeds the performance standards enumerated in the *Act Regulations*, and the *Bylaw Regulations*, and the Applicant requests that the Commission issue an Order of Conditions approving the project as proposed herein.

Arlington Conservation Commission, *Town of Arlington Wetlands Protection Bylaw* (Article 8) Town of Arlington, Massachusetts.

Massachusetts Department of Environmental Protection, Division of Wetlands and Waterways 1995. *Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act, A Handbook*. 89 pp.

Massachusetts Natural Heritage and Endangered Species Program Atlas of Estimated Habitat of State-listed Rare Wetlands Wildlife, Natural Heritage & Endangered Species Program, Massachusetts Division of Fisheries & Wildlife, Route 135, Westborough, MA 01581, www.state.ma.us/dfwele/dfw

Massachusetts Wetlands Protection Act (M.G.L. c. 131, §. 40), www.state.ma.us/dep
Massachusetts Wetlands Protection Act Regulations (310 CMR 10.00),
www.state.ma.us/dep

National Flood Insurance Program, Federal Emergency Management Agency National Flood Hazard Layer FIRMet (Map Number 25017C0479E), Middlesex County, June 4, 2010.

New England Hydric Soils Technical Committee. 2019, 4th ed., *Field Indicators for Identifying Hydric Soils in New England*, New England Interstate Water Pollution Control Commission, Lowell, MA.

Reed, P.B. 1988. *National List of Plant Species that Occur in Wetlands: 1988 Massachusetts*. U.S. Department of the Interior, Fish and Wildlife Service. NERC-88/18.21

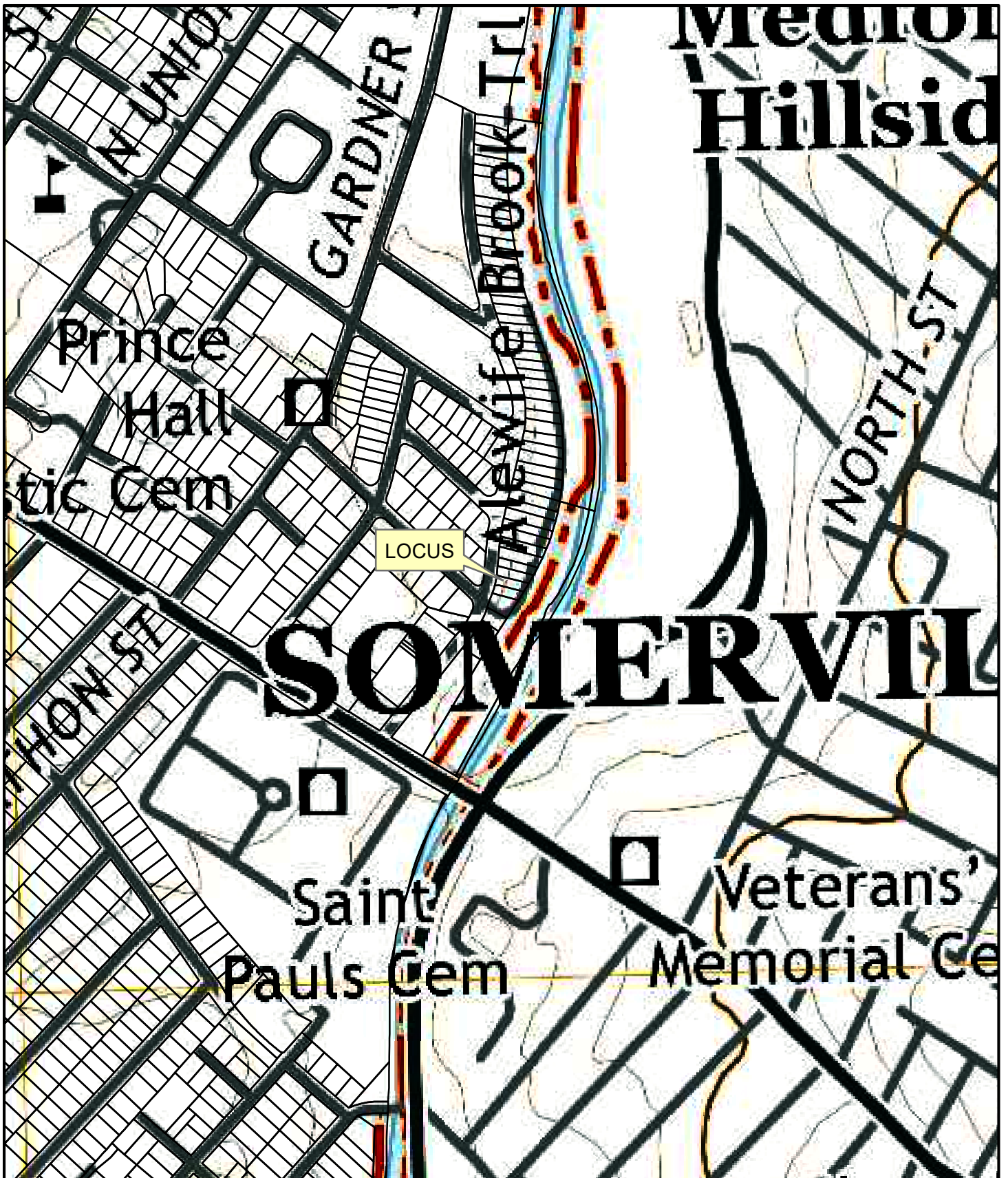
Appendix A

Locus Maps

Figure 1: USGS Topographic Quadrangle

Figure 2: FEMA Flood Insurance Rate Map

Figure 3: MassGIS Orthophoto & NHESP Estimated Habitat Map



LEC

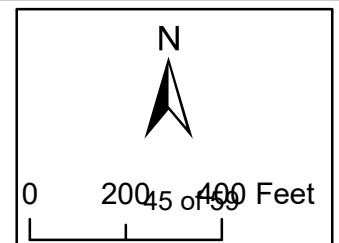
Environmental Consultants, Inc.

Wakefield, MA
781.245.2500

www.lecenvironmental.com

Figure 1: USGS Topographic Map
39 Sunnyside Avenue
Arlington, MA

February 2, 2023



National Flood Hazard Layer FIRMette



71°8'18"W 42°24'45"N

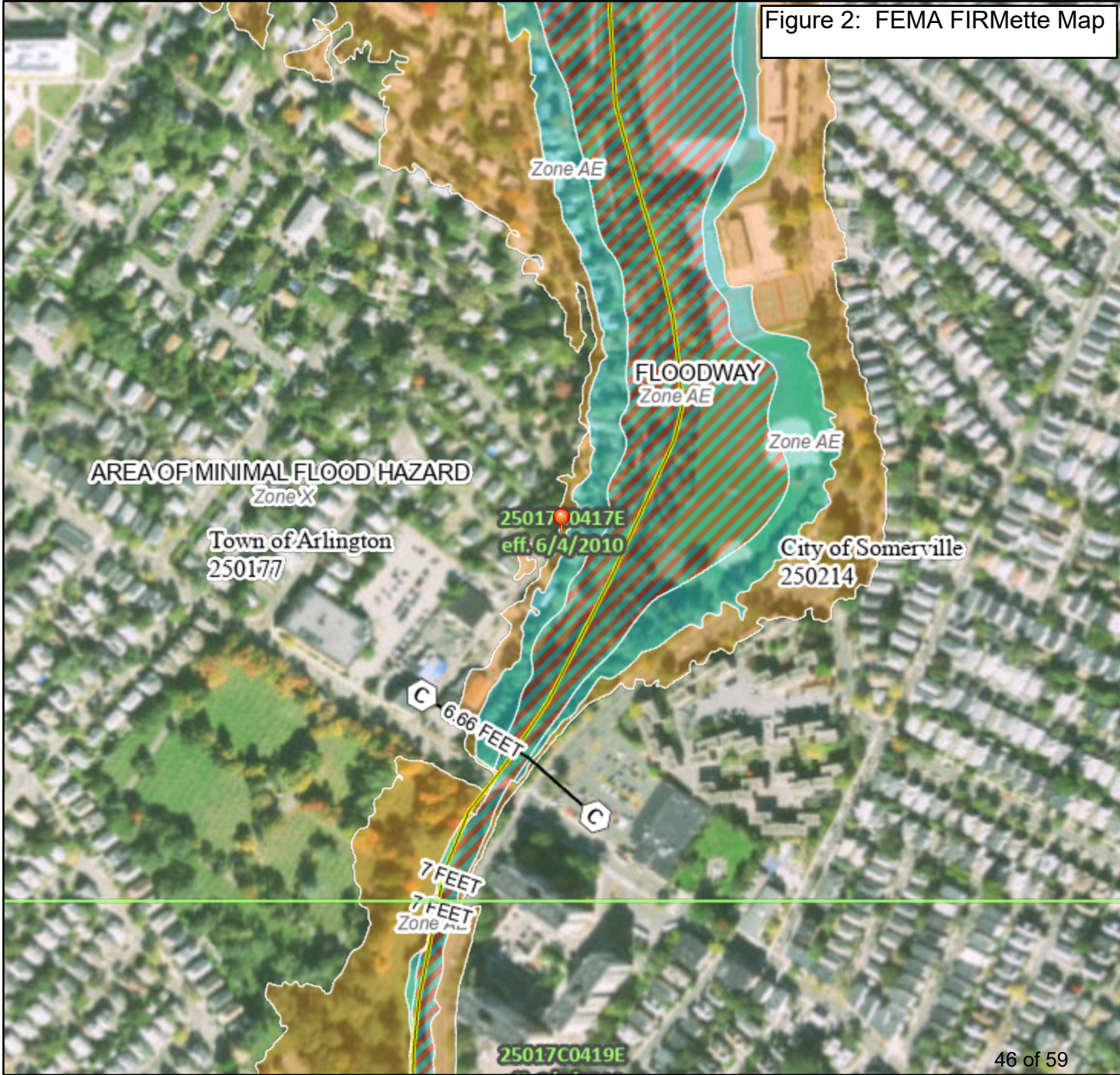


Figure 2: FEMA FIRMette Map

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- | | | |
|-----------------------------|--|---|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE)
Zone A, V, A99 |
| | | With BFE or Depth Zone AE, AO, AH, VE, AR |
| | | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X |
| | | Future Conditions 1% Annual Chance Flood Hazard Zone X |
| | | Area with Reduced Flood Risk due to Levee. See Notes. Zone X |
| | | Area with Flood Risk due to Levee Zone D |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard Zone X |
| | | Effective LOMRs |
| GENERAL STRUCTURES | | Area of Undetermined Flood Hazard Zone D |
| | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation |
| | | 17.5 |
| | | Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| MAP PANELS | | Jurisdiction Boundary |
| | | Coastal Transect Baseline |
| | | Profile Baseline |
| | | Hydrographic Feature |
| | | Digital Data Available |
| | | No Digital Data Available |
| | | Unmapped |



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/27/2023 at 11:48 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



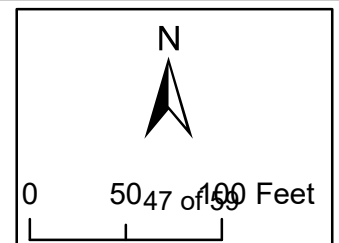
Environmental Consultants, Inc.

Wakefield, MA
781.245.2500

www.lecenvironmental.com

Figure 3: MassGIS Orthophoto & NHESP Map
39 Sunnyside Avenue
Arlington, MA

February 2, 2023



Appendix B

Design Development Plans,
prepared by Miller Design, LLC, dated January 20, 2023

GENERAL NOTES:

1. CONTRACTOR TO OBTAIN AND PAY FOR ALL PERMITS REQUIRED TO PERFORM THE WORK.
2. COORDINATE AND BE RESPONSIBLE FOR THE PROTECTION OF PERSONS AND PROPERTY FOR THE DURATION OF CONSTRUCTION AS REQUIRED BY AGENCIES AND AUTHORITIES HAVING JURISDICTION.
3. DO NOT DAMAGE BUILDING ELEMENTS AND IMPROVEMENTS INDICATED TO REMAIN.
4. DO NOT INTERRUPT UTILITIES WITHOUT THE WRITTEN PERMISSION OF THE OWNER.
5. REMOVE SALVAGE AND DEBRIS FROM THE SITE AS IT ACCUMULATES. DO NOT STORE, SELL, BURN OR OTHERWISE DISPOSE OF THE DEBRIS ON THE SITE. KEEP ALL PAVEMENTS AND AREAS ADJACENT TO AND LEADING FROM THE SITE CLEAN AND FREE OF MUD, DIRT, AND DEBRIS AT ALL TIMES. ALL MATERIALS SHALL BE DISPOSED OF IN A LEGAL MANNER.
6. SORT DEBRIS FOR RECYCLING TO THE EXTENT POSSIBLE. REMOVE OR ARRANGE FOR THE TRANSPORT OF SORTED MATERIALS SCHEDULED TO BE RECYCLED TO APPROPRIATE OFF-SITE FACILITIES EQUIPPED FOR THE RECYCLING OF SPECIFIC MATERIALS. PROVIDE CONTAINERIZED DUMPSTERS FOR THE SORTING OF DEMO WASTES.
7. CEASE OPERATIONS IF PUBLIC SAFETY OR REMAINING STRUCTURES ARE ENDANGERED. PERFORM TEMPORARILY CORRECTIVE MEASURES UNTIL OPERATIONS CAN BE CONTINUED PROPERLY.
8. ALL INTERIOR DIMENSIONS ARE FROM FACE OF GWB TO FACE OF GWB UNLESS SPECIFICALLY NOTED OTHERWISE. DO NOT SCALE DRAWINGS.
9. HVAC CONTRACTOR TO MODIFY EXISTING MECHANICAL SYSTEM AS NEEDED TO SUPPORT THE ADDITION AND THE NEW LAYOUT. CONTRACTOR TO COORDINATE SPECIFICS WITH OWNER.
10. CONTRACTOR TO UPGRADE ELECTRICAL PANEL, PROVIDE ALL WIRING AND OUTLETS AS NEEDED TO MEET CODE, COORDINATE THE LOCATION OF NEW ELECTRICAL OUTLETS TO MEET CODE, AND SUBMIT SWITCHING LOCATIONS TO OWNER / ARCHITECT FOR APPROVAL.
11. PAINT AND/OR STAIN ALL EXTERIOR SIDING, DOORS, WINDOWS, AND TRIM AND INTERIOR SURFACES PER OWNERS DIRECTION.
12. ALL INTERIOR WOOD TRIM AND WOOD BASE TO BE SELECTED BY OWNER.
13. ALL FLOOR TILE, APPLIANCES, PLUMBING FIXTURES AND LIGHT FIXTURES TO BE FURNISHED BY OWNER, INSTALLED BY CONTRACTOR.
14. ALL INTERIOR AND EXTERIOR WALLS TO BE 2X4 CONSTRUCTION, UNLESS NOTED OTHERWISE.
15. R13 BATT INSULATION TO BE PROVIDED IN ALL INTERIOR BEDROOM AND BATHROOM WALLS. R25 BATT INSULATION TO BE PROVIDED IN ALL INTERIOR BEDROOM AND BATHROOM FLOORS.
16. CONTRACTOR TO SPRAY APPLY ICYNENE INSULATION FORMULA, APPLIED TO A THICKNESS ADEQUATE TO ACHIEVE SPECIFIED R VALUES. ALL FOUNDATION SILL PLATES AND FLOOR / WALL JUNCTION PLATES TO BE CAULKED TO AVOID AIR LEAKAGE. ALL ROUGH OPENINGS FOR EXTERIOR DOORS AND WINDOWS TO BE SIZED TO FURNISH A MINIMUM 1/2" SPACE AROUND THE PERIMETER OF FRAME TO PERMIT INSTALLATION OF FOAM INSULATION. ALL JOINTS BETWEEN EXTERIOR FRAMING MEMBERS TO BE CAULKED TO AVOID AIR LEAKAGE. CEILING VAPOR BARRIER TO BE CAULKED AND STAPLED TO THE TOP PLATES OF INTERIOR PARTITIONS AND TO THE LOWER TOP PLATES OF EXTERIOR WALLS. ROOF ASSEMBLY TO BE NON-VENTED (NO SOFFIT OR RIDGE VENTS) PER MFGR SPECS FOR ICYNENE INSULATION SYSTEM, ROOF INSULATION TO BE CLASS II VAPOR PERMEANCE TO MEET CODE. BUILDING TO BE MECHANICALLY VENTED. ALL VERTICAL WIRING FOR ELECTRIC, CABLE, TELEPHONE, SECURITY, ETC. SHALL BE SECURED TO THE INSIDE OF STUDS EVERY 3'-0" AND 1 1/2" FROM THE GWB SURFACE FOR ALL RUNS. CEILING OUTLETS SHALL BE INSTALLED USING VAPOR BARRIER PANS/ BOXES WHICH ARE CAULKED WITH ACOUSTICAL CAULKING MATERIAL PRIOR TO THE INSTALLATION OF THE ATTIC INSULATION.
17. ALL MATERIALS, SYSTEMS AND ASSEMBLIES TO BE INSTALLED IN ACCORDANCE WITH LOCAL CODES AND WITH MANUFACTURER SPECIFICATIONS.

PROJECT INFORMATION:

ARLINGTON ZONING R2 (SUNNYSIDE DISTRICT):

FRONT YARD SETBACK: 20'-0"
REAR YARD SETBACK: 20'-0"
SIDE YARD SETBACK: 10'
HEIGHT: 35' AND 2 1/2 STORIES
MIN 10% OPEN SPACE (LANDSCAPE)
MIN 30% OPEN SPACE (USABLE)
MAX 35% LOT COVERAGE

DRAWING LIST

- A1COVER SHEET
- A2EXISTING BASEMENT PLAN
- A3EXISTING FIRST FLOOR PLAN
- A4EXISTING SECOND FLOOR PLAN
- A5EXISTING ELEVATIONS
- A6NEW BASEMENT PLAN
- A7NEW FIRST FLOOR PLAN
- A8NEW SECOND FLOOR PLAN
- A9NEW ELEVATIONS

ENERGY AUDIT:

REFERENCE CH 11 - ENERGY EFFICIENCY 2015 INTERNATIONAL RESIDENTIAL CODE W/ MASS AMENDMENTS.

PRESCRIPTIVE OPTION FOR RESIDENTIAL ADDITION (401.3):

1. RENOVATION TO COMPLY WITH ENERGY STAR QUALIFIED HOMES THERMAL BYPASS INSPECTION CHECKLIST. INSULATION VALUES AS FOLLOWS: R49 ROOF R-VALUE, R30 FLOOR R-VALUE, R20 WALL R-VALUE, R15/19 BASEMENT / CRAWL SPACE WALL R-VALUE.
2. RENOVATION TO COMPLY WITH ENERGY STAR PROGRAM REQUIREMENTS FOR RESIDENTIAL WINDOWS, DOORS, AND SKYLIGHTS - VERSION 5.0. ALL NEW WINDOW GLAZING TO BE .30 U FACTOR AND SKYLIGHTS TO BE .55 U-FACTOR.
3. HEATING / COOLING DUCTS TO BE SEALED ADN TESTED TO MEET REQUIREMENTS OF 401.3.

LIGHTING LEGEND

- RECESSED CAN LIGHT - 5" 75W HALOGEN IN KITCHEN, 7" 150W INCANDESCENT IN ALL OTHER LOCATIONS - AS SELECTED BY OWNER
- CEILING MOUNTED PENDANT - AS SELECTED BY OWNER
- CEILING MOUNTED DIRECT / INDIRECT LIGHT - AS SELECTED BY OWNER
- WALL MOUNTED SCONCES AS SELECTED BY OWNER
- CEILING FAN - AS SELECTED BY OWNER
- S.D.

SMOKE DETECTOR - NOTE ALL NEW AND EXISTING SMOKES TO BE HARD-WIRED PER CODE
- S/CO

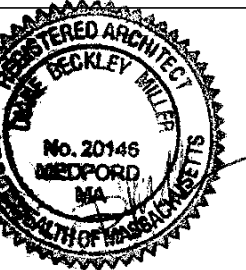
HARD-WIRED SMOKE / CARBON MONOXIDE DETECTOR
- DATA CONNECTION
- TELEPHONE / DATA CONNECTION
- ELECTRIC OUTLET (SPECIFIC LOCATIONS ONLY - ALL OUTLETS AS REQUIRED BY CODE ARE NOT SHOWN ON PLANS)

SYMBOL LEGEND

- WALL TO BE DEMOLISHED
- EXISTING WALL TO REMAIN
- NEW WALL
- INTERIOR ELEVATION
- SECTION
- 5

DOOR TAG
- B

WINDOW TAG



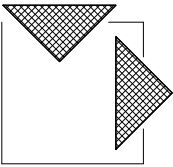
ROCK RESIDENCE
39 SUNNYSIDE AVE
ARLINGTON MA 02474

COVER SHEET

Sheet
Number:

A1

MILLER
DESIGN LLC



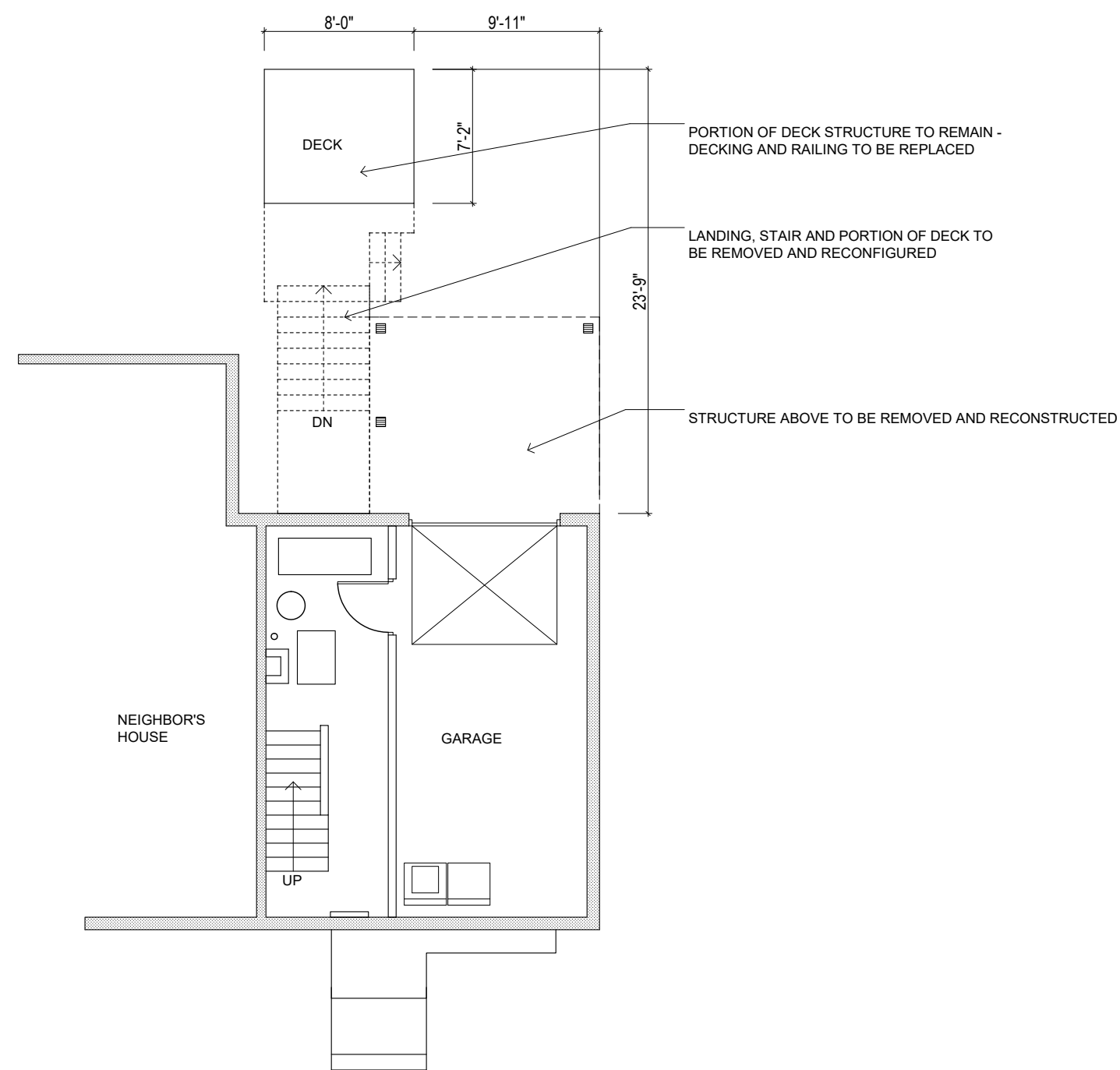
80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date: Issued for:

12/13/22 SCHEMATIC DESIGN

1/20/23 DESIGN DEVELOPMENT



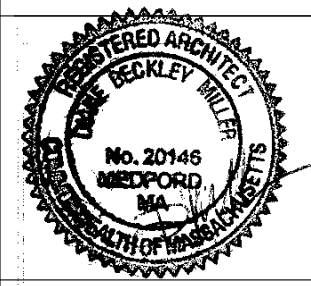
**MILLER
DESIGN LLC**



80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date:	Issued for:
12/13/22	SCHEMATIC DESIGN
1/20/23	DESIGN DEVELOPMENT

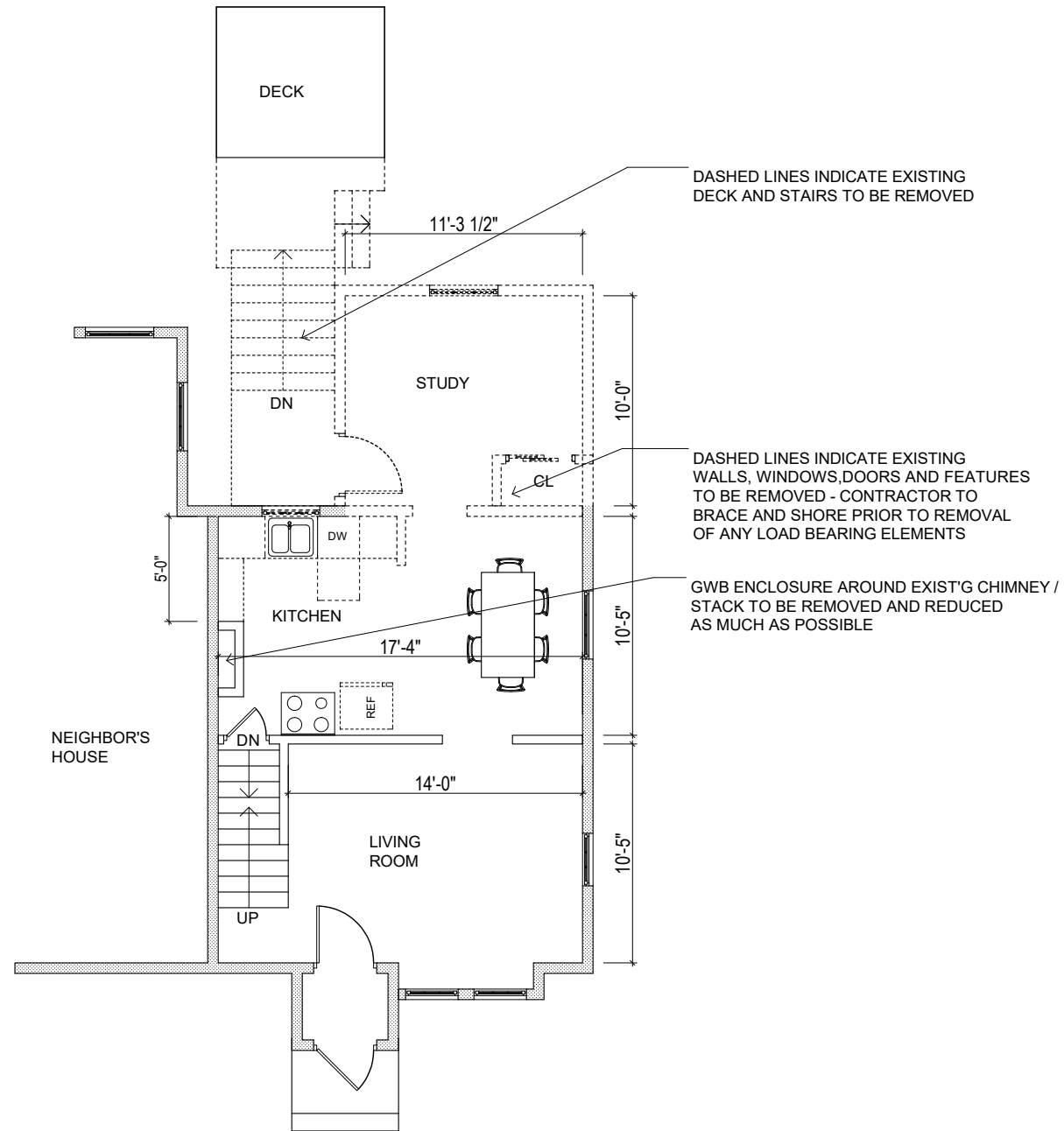


ROCK RESIDENCE
39 SUNNYSIDE AVE
ARLINGTON MA 02474

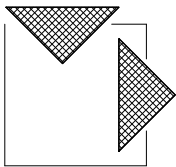
EXISTING
BASEMENT

Sheet
Number:

A2



MILLER
DESIGN LLC

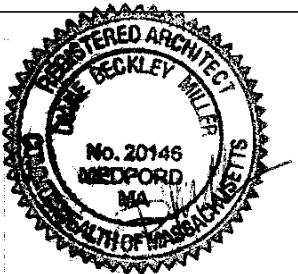


80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date: Issued for:

12/13/22	SCHEMATIC DESIGN
1/20/23	DESIGN DEVELOPMENT



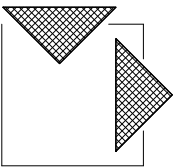
ROCK RESIDENCE
39 SUNNYSIDE AVE
ARLINGTON MA 02474

EXISTING
FIRST FLOOR

Sheet
Number:

A3

MILLER
DESIGN LLC

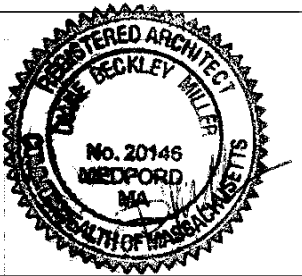


80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date: Issued for:

12/13/22	SCHEMATIC DESIGN
1/20/23	DESIGN DEVELOPMENT

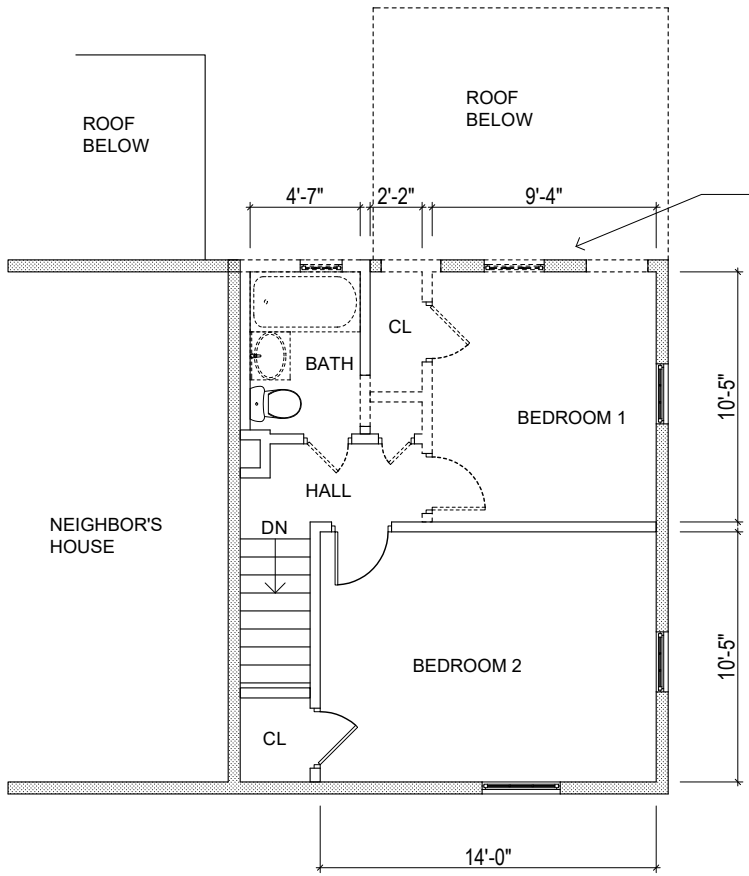


ROCK RESIDENCE
39 SUNNYSIDE AVE
ARLINGTON MA 02474

EXISTING
SECOND FLOOR

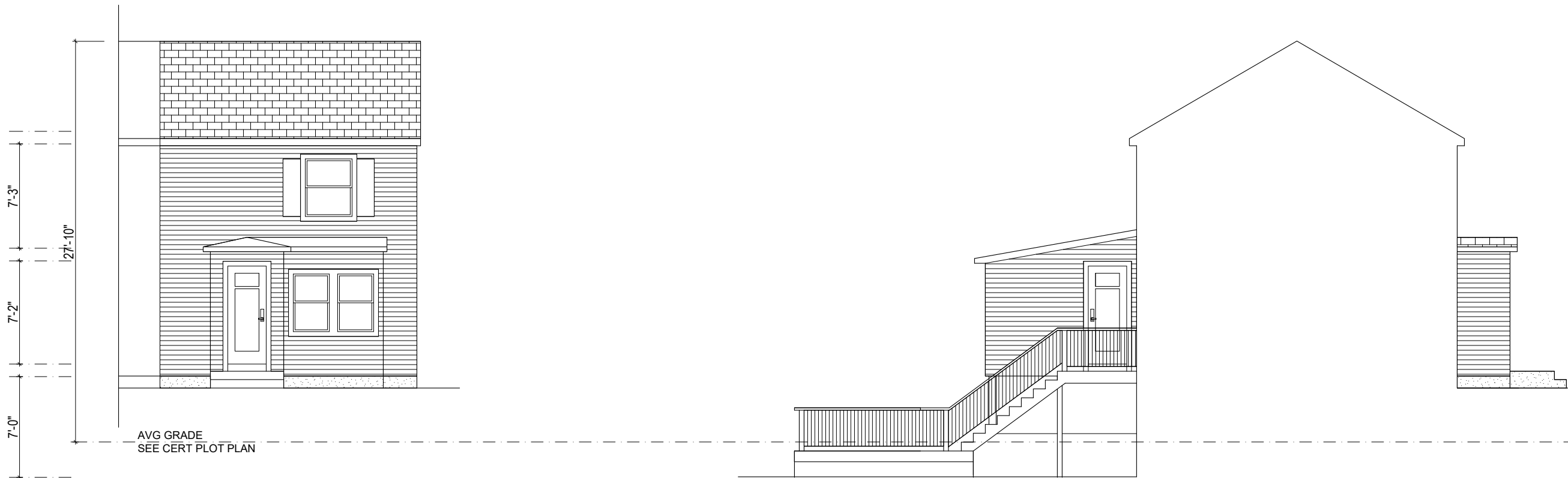
Sheet
Number:

A4

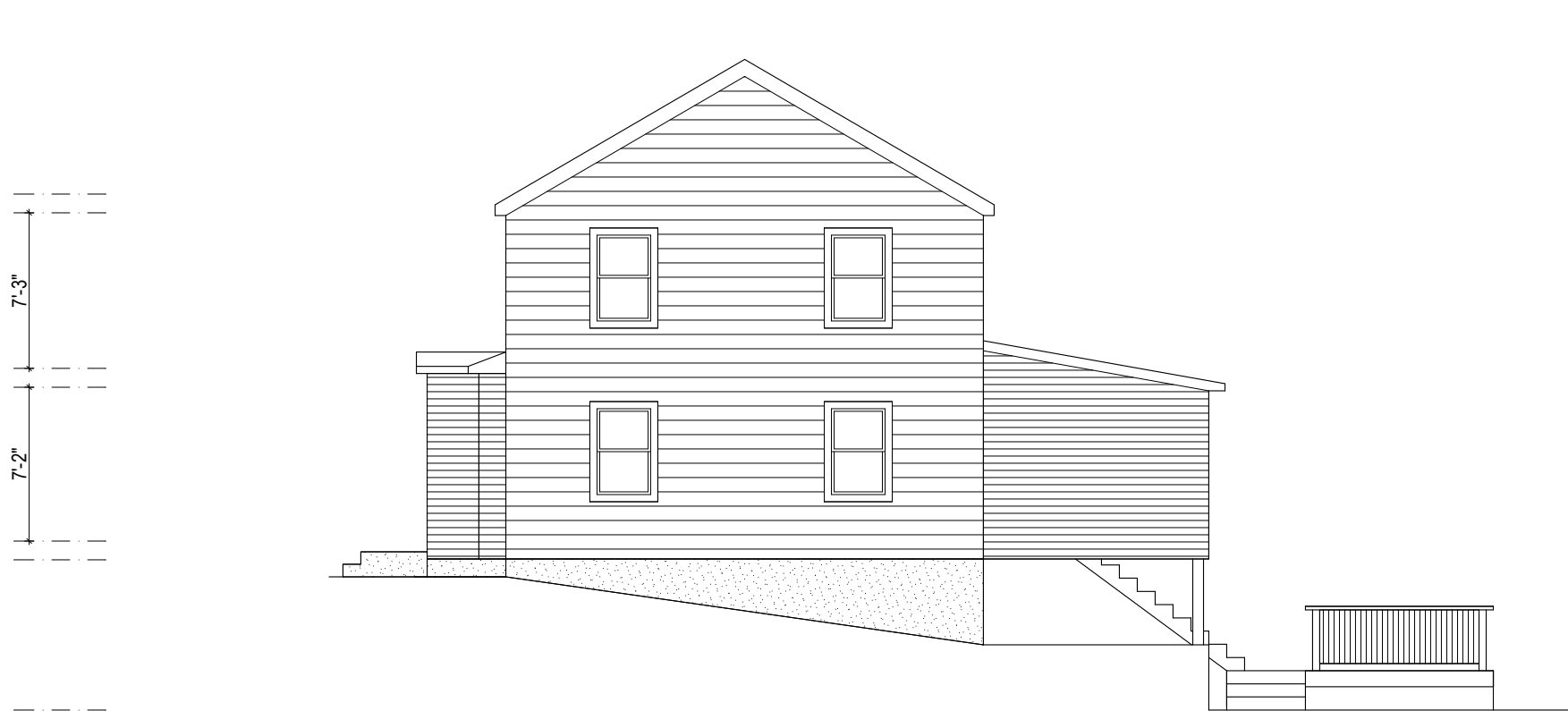


DASHED LINES INDICATE EXISTING
WALLS, WINDOWS, DOORS AND FEATURES
TO BE REMOVED - CONTRACTOR TO
BRACE AND SHORE PRIOR TO REMOVAL
OF ANY LOAD BEARING ELEMENTS





1 FRONT ELEVATION
SCALE: 1/8" = 1'



2 SIDE ELEVATION (NEIGHBOR'S)
SCALE: 1/8" = 1'



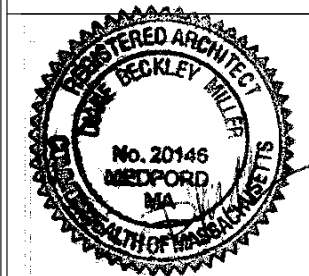
3 REAR ELEVATION
SCALE: 1/8" = 1'

**MILLER
DESIGN LLC**

80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date:	Issued for:
12/13/22	SCHEMATIC DESIGN
1/20/23	DESIGN DEVELOPMENT

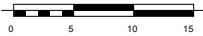
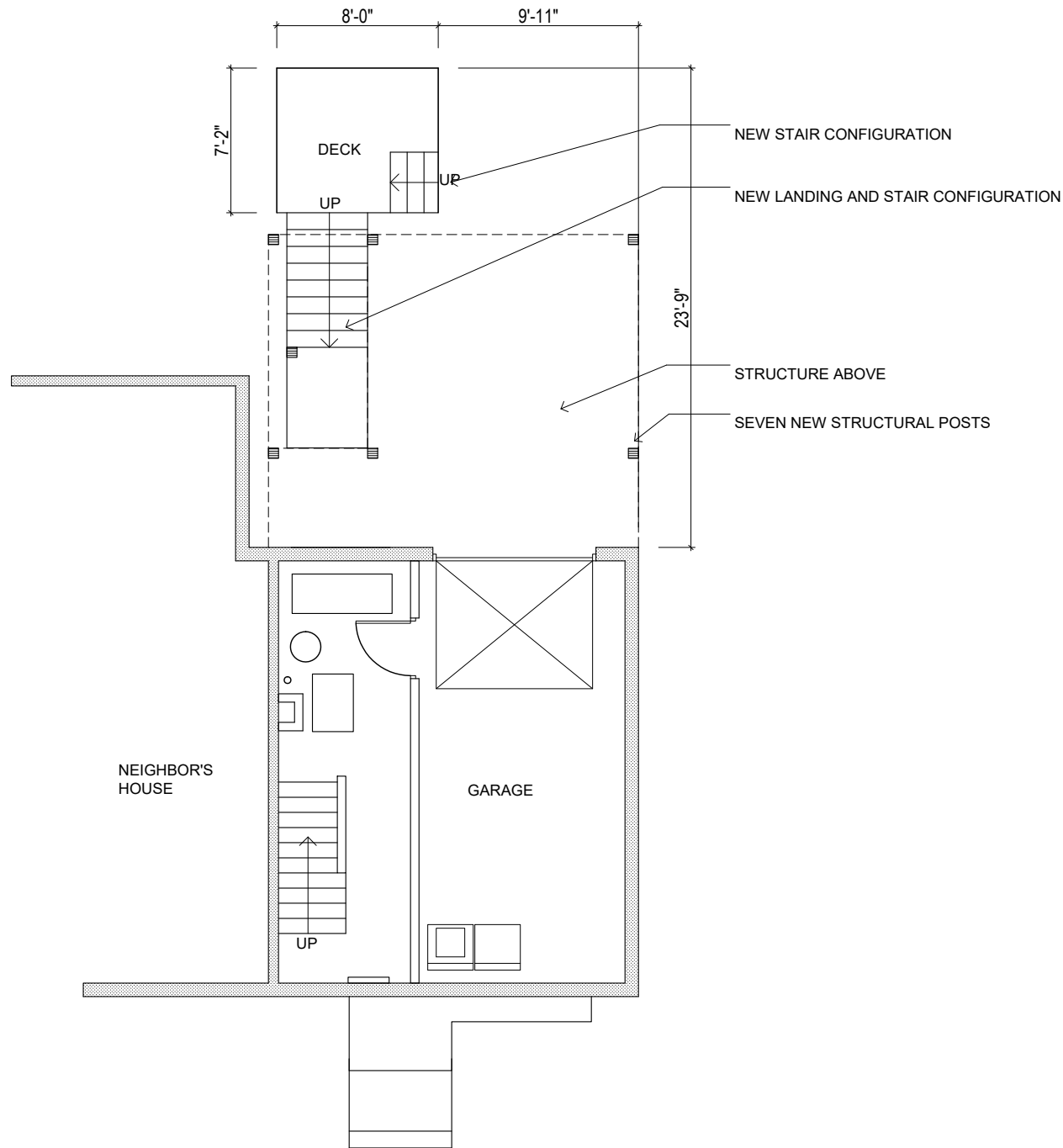


ROCK RESIDENCE
39 SUNNYSIDE AVE
ARLINGTON MA 02474

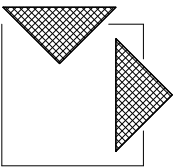
EXISTING
ELEVATIONS

Sheet
Number:

A5



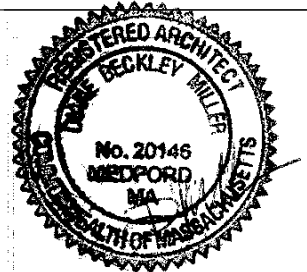
MILLER
DESIGN LLC



80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date:	Issued for:
12/13/22	SCHEMATIC DESIGN
1/20/23	DESIGN DEVELOPMENT

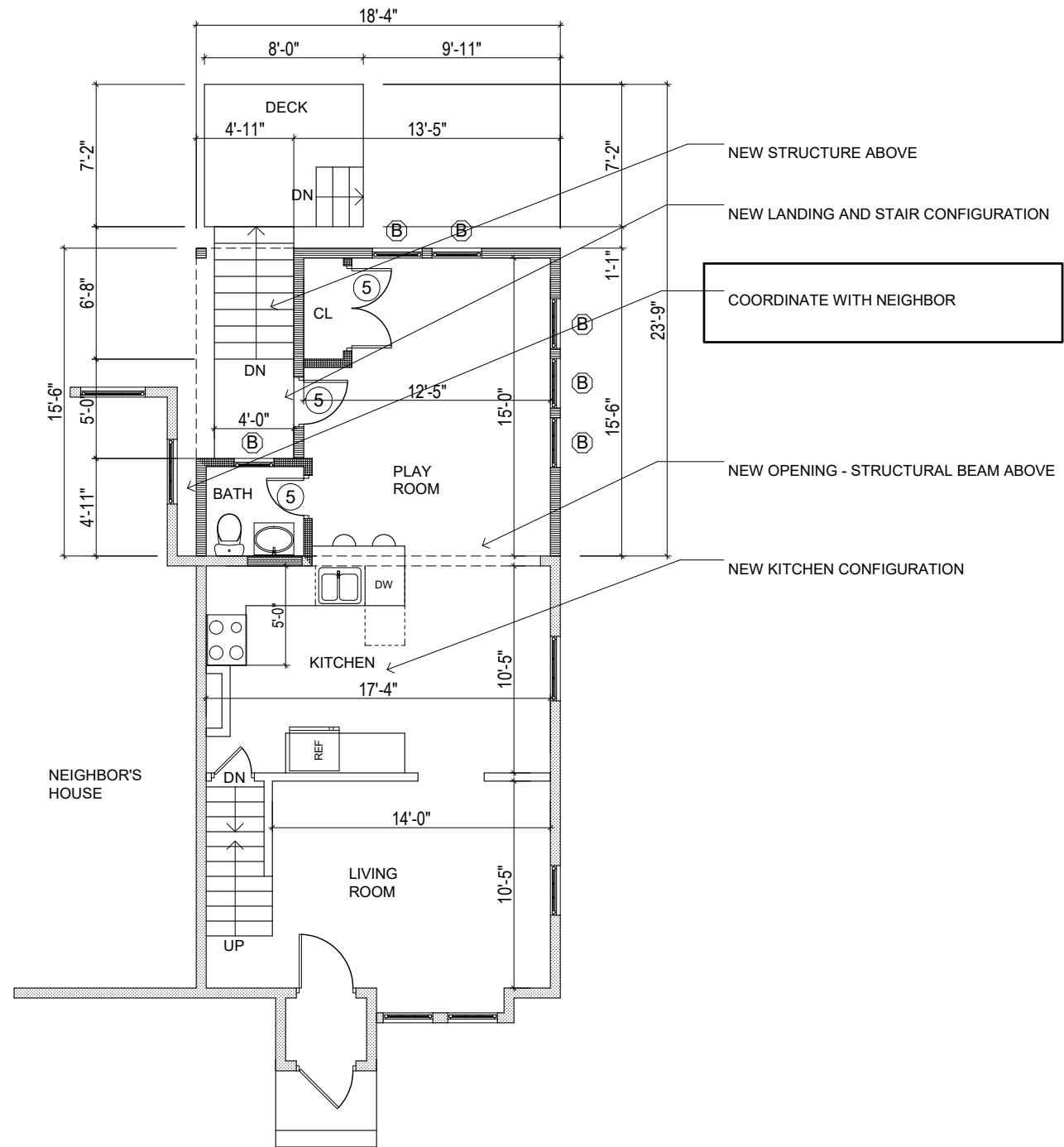


ROCK RESIDENCE
39 SUNNYSIDE AVE
ARLINGTON MA 02474

NEW
BASEMENT

Sheet
Number:

A6



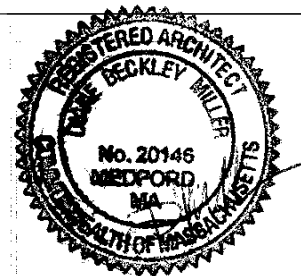
**MILLER
DESIGN LLC**



80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date:	Issued for:
12/13/22	SCHEMATIC DESIGN
1/20/23	DESIGN DEVELOPMENT

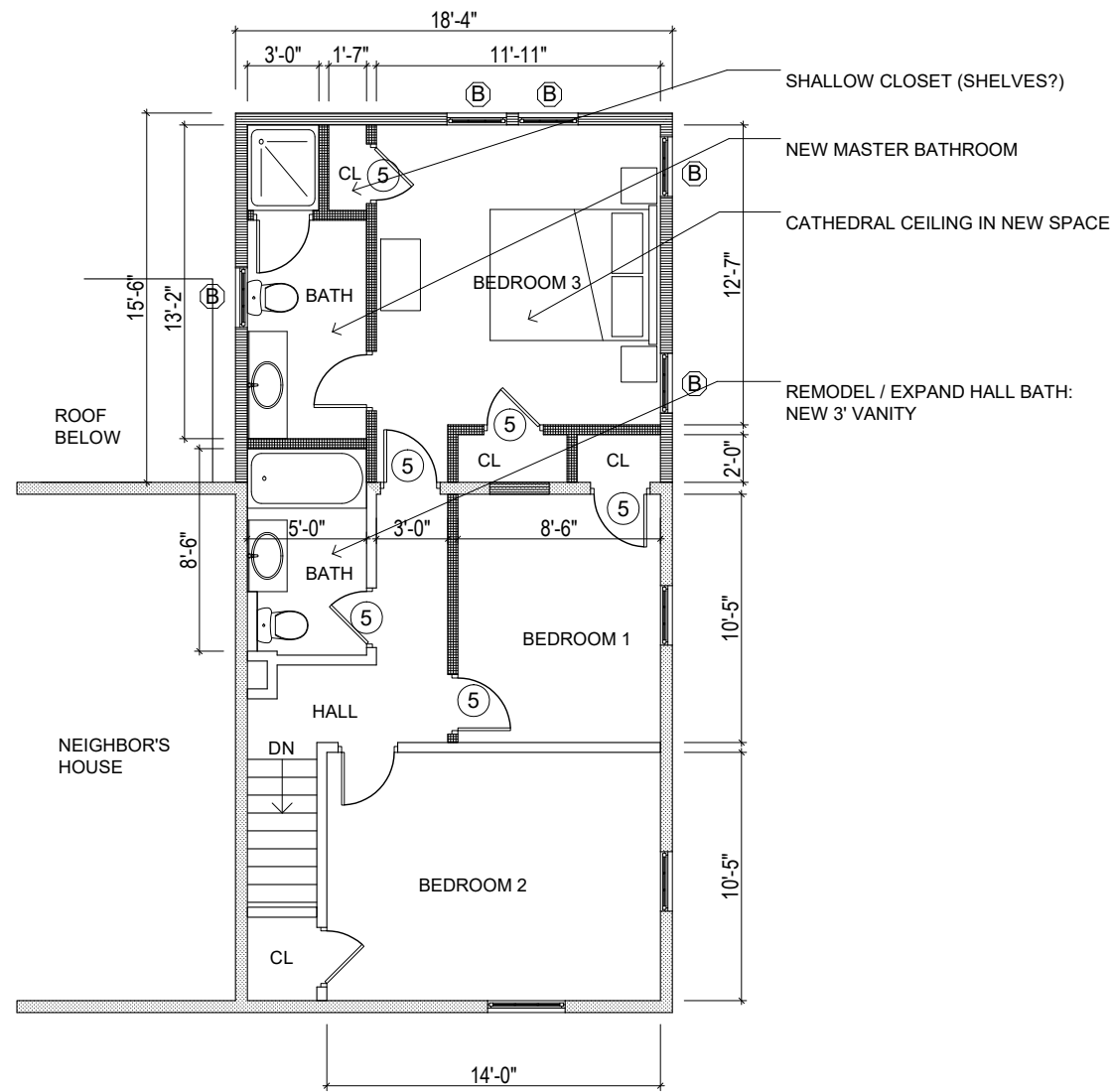


ROCK RESIDENCE
39 SUNNYSIDE AVE
ARLINGTON MA 02474

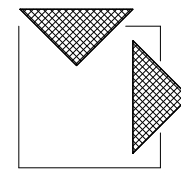
NEW
FIRST FLOOR

Sheet
Number:

A7



MILLER
DESIGN LLC



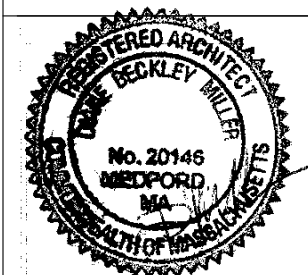
80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date: Issued for:

12/13/22 SCHEMATIC DESIGN

1/20/23 DESIGN DEVELOPMENT

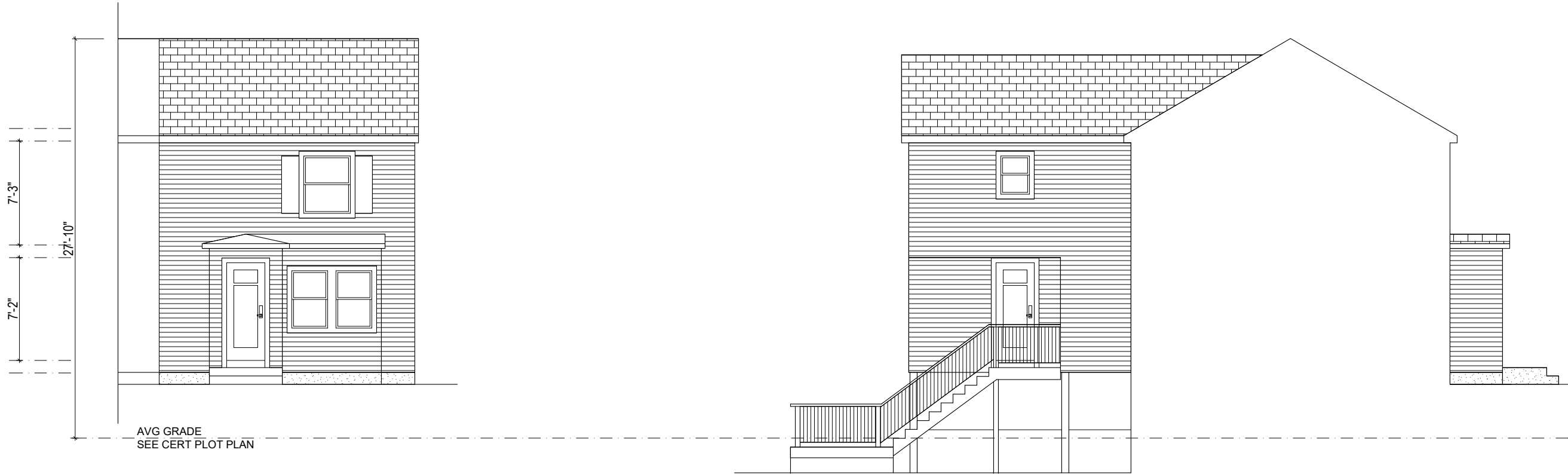


ROCK RESIDENCE
39 SUNNYSIDE AVE
ARLINGTON MA 02474

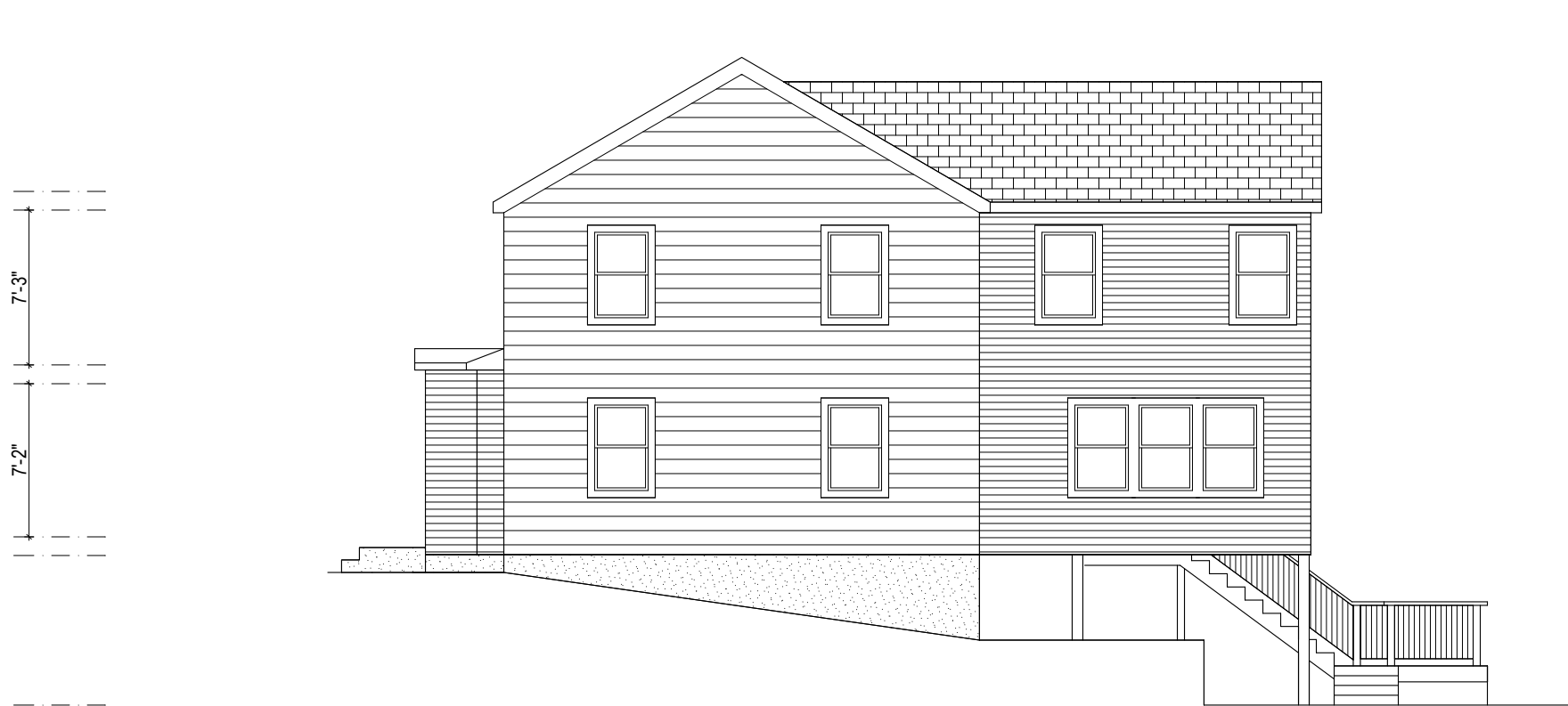
NEW
SECOND FLOOR

Sheet
Number:

A8



1 FRONT ELEVATION
SCALE: 1/8" = 1'



2 SIDE ELEVATION (NEIGHBOR'S)
SCALE: 1/8" = 1'



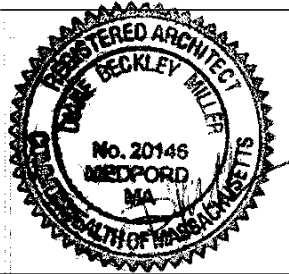
3 REAR ELEVATION
SCALE: 1/8" = 1'

**MILLER
DESIGN LLC**

80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date:	Issued for:
12/13/22	SCHEMATIC DESIGN
1/20/23	DESIGN DEVELOPMENT



ROCK RESIDENCE
39 SUNNYSIDE AVE
ARLINGTON MA 02474

NEW
ELEVATIONS

Sheet
Number:

A9

Appendix C

Conservation Plan,
prepared by Rober Survey, dated November 14, 2022

SUNNYSIDE AVENUE

LOT COVERAGE

EXISTING - 24.0%

PROPOSED - 28.2%

EXISTING GFA = 1334.8

PROPOSED GFA = 1697.2

LANDSCAPED OPEN SPACE

EXISTING - 1,246± S.F. (MINIMUM REQUIRED = 133.4 S.F.)

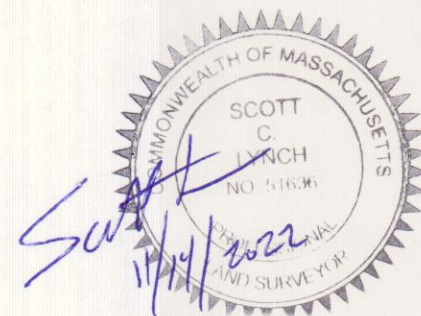
PROPOSED - 1,241± S.F. (MINIMUM REQUIRED = 169.7 S.F.)

USABLE OPEN SPACE

EXISTING - 0%

PROPOSED - 0%

(THERE ARE NO AREAS ON PROPERTY TO MEET THIS DEFINITION)



EXISTING IMPERVIOUS AREAS

SHED - 25.4 S.F.

FRONT WALK - 80.6 S.F.

BUILDING - 558.2 S.F.

ASPHALT DRIVEWAY - 268.1 S.F.

TOTAL - 932.2± S.F.

PROPOSED IMPERVIOUS AREAS

SHED - 25.4 S.F.

FRONT WALK - 80.6 S.F.

BUILDING WITH ADDITION - 661.3 S.F.

TOTAL - 767.0± S.F.

WITHIN 100' RIVERFRONT AREA

TOTAL BUFFER AREA 155± S.F.

EXISTING IMPERVIOUS AREA 106± S.F. 68.3%

PROPOSED IMPERVIOUS AREA 0± S.F. 0%

WITHIN 200' RIVERFRONT AREA

TOTAL BUFFER AREA 2,274± S.F.

EXISTING IMPERVIOUS AREA 932.2± S.F. 40.9%

PROPOSED IMPERVIOUS AREA 767.0± S.F. 33.7%

PROPOSED WITHIN FLOOD ZONE AE AREA

TOTAL BUFFER AREA 421± S.F.

PROPOSED STRUCTURE 1.9± S.F. 0%

PROPOSED PAVEMENT REPLACED BY PAVERS 219.7± S.F. 5.2%

NOTE: WETLAND BOUNDARY LINE DELINEATED BY LEC ENVIRONMENTAL, OCTOBER 2022.

OWNER: CAITLIN SANTACROCE & BRENDEN ROCK

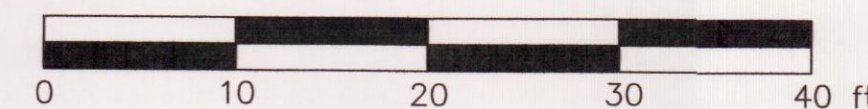
CONSERVATION PLAN

IN

ARLINGTON, MA

(MIDDLESEX COUNTY)

SCALE: 1" = 10' DATE: NOVEMBER 14, 2022



ROBER SURVEY

1072A MASSACHUSETTS AVENUE

ARLINGTON, MA 02476

(781) 648-5533

7175PL1.DWG